

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
ORGANIZATIONAL SESSION
OF 1967

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, JANUARY 10, 1967



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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State of Alabama

**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
ORGANIZATIONAL SESSION OF 1967**

FIRST DAY

Montgomery
Tuesday, January 10, 1967
State Capitol of Alabama

JOURNAL

of the House of Representatives of the State of Alabama, of the Organizational Session of 1967, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the Second Tuesday in January, 1967, being the tenth day of the month in the Year of Our Lord One Thousand Nine Hundred and Sixty-Seven, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, was called to order by Honorable Albert P. Brewer, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. Henry L. Lyon, Jr., Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

**CERTIFICATE OF ELECTION
STATE OF ALABAMA
DEPARTMENT OF STATE**

I, Mrs. Agnes Baggett, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on November 8, 1966, received in this Department in accordance with law, that the following named persons were elected to the House of Representatives for a term of four years, from the respective districts as follows:

- For Members of the House of Representatives from the 1st District
 - Place No. 1—James H. Haygood
 - Place No. 2—Robert M. Hill, Jr.
- For Members of the House of Representatives from the 2nd District
 - Place No. 1—Edward Burgreen
 - Place No. 2—Robert R. Berryman
- For Members of the House of Representatives from the 3rd District
 - Place No. 1—Tom Jones
 - Place No. 2—John David Snodgrass
 - Place No. 3—Harry L. Pennington
 - Place No. 4—Eugene M. McLain
 - Place No. 5—Billy Laxson

For Member of the House of Representatives from the 4th District
Bill Williams

For Members of the House of Representatives from the 5th District
Place No. 1—Bryce U. Graham
Place No. 2—W. Anderson Berryman

For Members of the House of Representatives from the 6th District
Place No. 1—Leslie Doss
Place No. 2—Ralph E. Slate

For Members of the House of Representatives from the 7th District
Place No. 1—John W. Starnes
Place No. 2—Sid McDonald
Place No. 3—Tom Drake

For Members of the House of Representatives from the 8th District
Place No. 1—W. M. Beck, Jr.
Place No. 2—Ralph A. Meade

For Member of the House of Representatives from the 9th District
Rankin Fite

For Member of the House of Representatives from the 10th District
Bill L. Lemley

For Members of the House of Representatives from the 11th District
Place No. 1—Richard Malone
Place No. 2—L. Charles Wright
Place No. 3—W. E. (Bill) Owens, Jr.

For Member of the House of Representatives from the 12th District
Dave Fine

For Members of the House of Representatives from the 13th District
Place No. 1—Alonzo Shumate
Place No. 2—Oscar C. Dobbs

For Members of the House of Representatives from the 14th District
Place No. 1—J. Paul Meeks, Jr.
Place No. 2—J. T. (Jabo) Waggoner, Jr.
Place No. 3—Robert L. (Bob) Ellis, Jr.
Place No. 4—Hubert Kilgore
Place No. 5—Richard (Dick) Dill
Place No. 6—Joe Money
Place No. 7—Bob Adwell
Place No. 8—Raymond Weeks
Place No. 9—Tommy Watkins
Place No. 10—Robert C. (Bob) Gafford
Place No. 11—Tram Sessions
Place No. 12—Newman "Red" Yeilding
Place No. 13—R. F. (Bob) Holman
Place No. 14—Verbon E. Crane
Place No. 15—Quinton R. Bowers
Place No. 16—John W. (Doug) Cook
Place No. 17—Frank "Pig" House
Place No. 18—Bennett L. (Ben) Cherner
Place No. 19—Tom Gloor
Place No. 20—Thomas H. "Big Tom" Jackson

For Member of the House of Representatives from the 15th District
Edwin Holladay

- For Members of the House of Representatives from the 16th District
 - Place No. 1—Ray Burgess
 - Place No. 2—Hugh D. Merrill
 - Place No. 3—Fred Ray Lybrand
- For Member of the House of Representatives from the 17th District
 - Edwin A. Tuck
- For Members of the House of Representatives from the 18th District
 - Place No. 1—John A. Culver
 - Place No. 2—Hugh Thomas
 - Place No. 3—Ralph D. (Doc) Brown
 - Place No. 4—Bert Bank
- For Member of the House of Representatives from the 19th District
 - Tom Stubbs
- For Members of the House of Representatives from the 20th District
 - Place No. 1—Lyndol Bolton
 - Place No. 2—Phil Smith
- For Member of the House of Representatives from the 21st District
 - Charles (Pete) Matthews
- For Member of the House of Representatives from the 22nd District
 - Gus W. Young
- For Member of the House of Representatives from the 23rd District
 - Walter Owens
- For Member of the House of Representatives from the 24th District
 - Lewis W. (Pig) Headley
- For Member of the House of Representatives from the 25th District
 - Owen Harper
- For Member of the House of Representatives from the 26th District
 - Charles Snell
- For Members of the House of Representatives from the 27th District
 - Place No. 1—Ira D. Pruitt
 - Place No. 2—Richard S. Manley
- For Members of the House of Representatives from the 28th District
 - Place No. 1—John H. Blanton
 - Place No. 2—B. V. Hain
- For Member of the House of Representatives from the 29th District
 - Leon P. Pearson
- For Member of the House of Representatives from the 30th District
 - Ernest S. Collier
- For Members of the House of Representatives from the 31st District
 - Place No. 1—James L. Paulk
 - Place No. 2—Bill Neville, Jr.
- For Members of the House of Representatives from the 32nd District
 - Place No. 1—Bowen Brassell
 - Place No. 2—Pete Turnham
 - Place No. 3—G. J. Higginbotham

For Members of the House of Representatives from the 33rd District
Place No. 1—Grover Lamar Agee
Place No. 2—Joe C. McCorquodale, Jr.

For Members of the House of Representatives from the 34th District
Place No. 1—W. E. (Gene) Garrett
Place No. 2—Wm. D. (Billy) Melton

For Members of the House of Representatives from the 35th District
Place No. 1—Harold Harris
Place No. 2—James W. Cameron
Place No. 3—Walker Hobbie, Jr.
Place No. 4—Howard E. McElhaney
Place No. 5—Curtis H. Springer

For Members of the House of Representatives from the 36th District
Place No. 1—L. Gardner Bassett
Place No. 2—W. E. (Gene) Hardin

For Members of the House of Representatives from the 37th District
Place No. 1—Jim Wood
Place No. 2—Thomas M. Marr
Place No. 3—Mayer (Mike) Perloff
Place No. 4—Clara Stone Collins
Place No. 5—Robert S. Edington
Place No. 6—Coy Smith
Place No. 7—Elwood L. Hogan
Place No. 8—Maurice A. Downing
Place No. 9—Monty Collins
Place No. 10—John William (Bill) Grayson

For Members of the House of Representatives from the 38th District
Place No. 1—L. D. (Dick) Owen, Jr.
Place No. 2—L. W. Brannan, Jr.

For Member of the House of Representatives from the 39th District
J. M. (Mac) Mays

For Members of the House of Representatives from the 40th District
Place No. 1—Frank Jackson
Place No. 2—E. C. (Crum) Foshee

For Member of the House of Representatives from the 41st District
Drexel Cook

For Member of the House of Representatives from the 42nd District
Henry B. Steagall, II

For Members of the House of Representatives from the 43rd District
Place No. 1—Buddy Crawford
Place No. 2—R. J. (Bob) Stembridge

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this Fourth day of January One Thousand Nine Hundred and Sixty-seven.

MRS. AGNES BAGGETT,
Secretary of State.

ROLL CALL

On a call of the roll of the House the following Representatives-elect answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pennington |
| Adwell | Doss | Jones | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Sessions |
| Bassett | Edington | Lemley | Shumate |
| Beck | Ellis | Lybrand | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snell |
| Bolton | Garrett | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgess | Hardin | McLain | Stubbs |
| Burgreen | Harper | Meade | Thomas |
| Cameron | Harris | Meeks | Tuck |
| Cherner | Haygood | Melton | Turnham |
| Collier | Headley | Merrill | Waggoner |
| Collins (C) | Higginbotham | Money | Watkins |
| Collins (W) | Hill | Neville | Weeks |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Owens (W) | Wood |
| Crane | Holladay | Owens (W.E.) | Wright |
| Crawford | Holman | Paulk | Yeilding |
| Culver | House | Pearson | Young |
| Dill | Jackson (F) | | |

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A quorum was present.

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State was administered to the above Representatives-elect by the Honorable Annie Lola Price, Presiding Judge of the Court of Appeals of Alabama.

ELECTION OF OFFICERS

The House then proceeded to the election of its permanent officers.

ELECTION OF SPEAKER

Mr. Cook of Coffee placed in nomination for Speaker of the House, Honorable Rankin Fite of Marion, and those who voted for Mr. Fite are:

| | | | |
|--------------|------------------|----------|--------------|
| Messrs.: | Brown | Culver | Gloor |
| Adwell | Burgess | Dill | Graham |
| Bank | Burgreen | Dobbs | Grayson |
| Bassett | Cameron | Doss | Hain |
| Beck | Cherner | Downing | Hardin |
| Berryman (R) | Collier | Drake | Harper |
| Berryman (W) | Collins (C) | Edington | Harris |
| Blanton | Collins (W) | Ellis | Haygood |
| Bolton | Cook (Coffee) | Fine | Headley |
| Bowers | Cook (Jefferson) | Foshee | Higginbotham |
| Brannan | Crane | Gafford | Hill |
| Brassell | Crawford | Garrett | Hobbie |

| | | | |
|-------------|----------------|------------|------------|
| Hogan | Mays | Paulk | Steagall |
| Holladay | McCorquodale | Pearson | Stembridge |
| Holman | McDonald | Pennington | Stubbs |
| House | McElhaney | Perloff | Thomas |
| Jackson (F) | McLain | Pruitt | Tuck |
| Jackson (T) | Meade | Sessions | Turnham |
| Jones | Meeks | Shumate | Waggoner |
| Kilgore | Melton | Slate | Watkins |
| Laxson | Merrill | Smith (C) | Weeks |
| Lemley | Money | Smith (P) | Williams |
| Lybrand | Neville | Snell | Wood |
| Malone | Owen (Baldwin) | Snodgrass | Wright |
| Manley | Owens (W) | Springer | Yielding |
| Marr | Owens (W.E.) | Starnes | Young |
| Mathews | | | |

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Mr. Fite, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker of the House of Representatives for the term prescribed by law.

The Presiding Officer of the House of Representatives named as a committee Messrs. Bowers, Pruitt, Pennington and Mathews to notify Mr. Fite of his election and to escort the Speaker-elect to the Chair.

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State was then administered to Honorable Rankin Fite by Honorable Annie Lola Price, Presiding Judge of the Court of Appeals of Alabama.

ELECTION OF SPEAKER PRO TEMPORE

Mr. Pruitt of Sumter placed in nomination for Speaker Pro Tempore of the House, Honorable Hugh D. Merrill of Calhoun, and those who voted for Mr. Merrill are:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pennington |
| Adwell | Doss | Jones | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Sessions |
| Bassett | Edington | Lemley | Shumate |
| Beck | Ellis | Lybrand | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Gafford | Manley | Smith (P) |
| Blanton | Garrett | Marr | Snell |
| Bolton | Gloor | Mathews | Snodgrass |
| Bowers | Graham | Mays | Springer |
| Brannan | Grayson | McCorquodale | Starnes |
| Brassell | Hain | McDonald | Steagall |
| Brown | Hardin | McElhaney | Stembridge |
| Burgess | Harper | McLain | Stubbs |
| Burgreen | Harris | Meade | Tuck |
| Cameron | Haygood | Meeks | Turnham |
| Cherner | Headley | Melton | Waggoner |
| Collier | Higginbotham | Money | Watkins |
| Collins (C) | Hill | Neville | Weeks |
| Collins (W) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Coffee) | Hogan | Owens (W) | Wood |
| Cook (Jefferson) | Holladay | Owens (W.E.) | Wright |
| Crane | Holman | Paulk | Yielding |
| Crawford | House | Pearson | Young |
| Dill | Jackson (F) | | |

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Mr. Merrill, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker Pro Tempore of the House of Representatives for the term prescribed by law.

The Speaker named as a committee Messrs. Pruitt, Mathews, McCorquodale and Owen (Baldwin) to escort the Speaker Pro Tempore-elect to the Chair.

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State was then administered to Honorable Hugh D. Merrill by Honorable Annie Lola Price, Presiding Judge of the Court of Appeals of Alabama.

ELECTION OF CLERK

Mr. Smith of Mobile placed in nomination for Clerk of the House, Honorable John W. Pemberton of Montgomery, and those who voted for Mr. Pemberton are:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Jones | Pruitt |
| Bank | Drake | Kilgore | Sessions |
| Beck | Edington | Lemley | Shumate |
| Berryman (R) | Ellis | Lybrand | Smith (C) |
| Berryman (W) | Fine | Malone | Smith (P) |
| Blanton | Foshee | Manley | Snell |
| Bolton | Gafford | Marr | Snodgrass |
| Bowers | Garrett | Mathews | Springer |
| Brannan | Gloor | Mays | Starnes |
| Brassell | Graham | McCorquodale | Steagall |
| Brown | Grayson | McDonald | Stembridge |
| Burgess | Hain | McElhaney | Stubbs |
| Burgreen | Hardin | McLain | Thomas |
| Cameron | Harper | Meade | Tuck |
| Cherner | Harris | Meeks | Turnham |
| Collier | Haygood | Melton | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Higginbotham | Money | Weeks |
| Cook (Coffee) | Hill | Neville | Williams |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Crane | Hogan | Owens (W) | Wright |
| Crawford | Holladay | Owens (W.E.) | Yeilding |
| Culver | Holman | Paulk | Young |
| Dill | House | Pearson | |

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ELECTION OF ASSISTANT CLERK

Mr. Merrill of Calhoun placed in nomination for Assistant Clerk of the House, Honorable Betty Wilson of Montgomery.

Mr. Turnham of Lee placed in nomination for Assistant Clerk of the House, Honorable Dorothy Golab of Montgomery.

Mrs. Wilson having received a majority of the votes cast, was declared duly and constitutionally elected Assistant Clerk of the House of Representatives for the term prescribed by law.

APPOINTMENT OF READING CLERK

The Speaker appointed Honorable Richard C. Belser of Montgomery as Reading Clerk of the House of Representatives.

ELECTION OF DOORKEEPER

Mr. Pruitt of Sumter placed in nomination for Doorkeeper of the House, Honorable Ed Granger of Montgomery, and those who voted for Mr. Granger are:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Paulk |
| Adwell | Doss | Jackson (T) | Pearson |
| Agee | Downing | Jones | Pennington |
| Bank | Drake | Kilgore | Perloff |
| Bassett | Edington | Laxson | Pruitt |
| Beck | Ellis | Lemley | Sessions |
| Berryman (W) | Fine | Lybrand | Shumate |
| Blanton | Foshee | Malone | Slate |
| Bolton | Gafford | Manley | Smith (C) |
| Bowers | Garrett | Marr | Smith (P) |
| Brannan | Gloor | Mathews | Snell |
| Brassell | Graham | Mays | Snodgrass |
| Brown | Grayson | McCorquodale | Springer |
| Burgess | Hain | McDonald | Starnes |
| Burgreen | Hardin | McElhaney | Steagall |
| Cameron | Harper | McLain | Stembridge |
| Cherner | Harris | Meade | Thomas |
| Collier | Haygood | Meeks | Tuck |
| Collins (C) | Headley | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Weeks |
| Cook (Coffee) | Hill | Money | Williams |
| Cook (Jefferson) | Hobbie | Neville | Wood |
| Crane | Hogan | Owen (Baldwin) | Wright |
| Crawford | Holladay | Owens (W) | Yelding |
| Culver | Holman | Owens (W.E.) | Young |
| Dill | House | | |

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Mr. Granger, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Doorkeeper of the House of Representatives for the term prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Young of Randolph placed in nomination for Assistant Doorkeeper of the House, Honorable Paul Fuller of Montgomery, and those who voted for Mr. Fuller are:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Collins (C) | Graham | Laxson |
| Adwell | Collins (W) | Grayson | Lemley |
| Agee | Cook (Coffee) | Hain | Lybrand |
| Bank | Cook (Jefferson) | Hardin | Malone |
| Bassett | Crane | Harper | Manley |
| Beck | Crawford | Harris | Marr |
| Berryman (R) | Culver | Haygood | Mathews |
| Berryman (W) | Dill | Headley | Mays |
| Blanton | Dobbs | Higginbotham | McCorquodale |
| Bolton | Doss | Hill | McDonald |
| Bowers | Downing | Hobbie | McElhaney |
| Brannan | Drake | Hogan | McLain |
| Brassell | Edington | Holladay | Meade |
| Brown | Ellis | Holman | Meeks |
| Burgess | Fine | House | Melton |
| Burgreen | Foshee | Jackson (F) | Merrill |
| Cameron | Gafford | Jackson (T) | Money |
| Cherner | Garrett | Jones | Neville |
| Collier | Gloor | Kilgore | Owen (Baldwin) |

| | | | |
|--------------|-----------|------------|----------|
| Owens (W) | Shumate | Steagall | Watkins |
| Owens (W.E.) | Slate | Stembridge | Weeks |
| Paulk | Smith (C) | Stubbs | Williams |
| Pearson | Smith (P) | Thomas | Wood |
| Pennington | Snell | Tuck | Wright |
| Perloff | Snodgrass | Turnham | Yeilding |
| Pruitt | Springer | Waggoner | Young |
| Sessions | Starnes | | |

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Mr. Fuller, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Assistant Door-keeper of the House of Representatives for the term prescribed by law.

OFFICERS SWORN IN

Mr. John W. Pemberton, Mrs. Betty Wilson, Messrs. Richard C. Belser, Ed Granger and Paul Fuller, subordinate officers of the House appeared and the oath of office prescribed by the Constitution was administered to them by Honorable Annie Lola Price, Presiding Judge of the Court of Appeals of Alabama.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the following be adopted as the permanent Rules of the House:

GENERAL RULES OF ORDER AND PROCEDURE

Rule 1. The doorkeeper shall, ten minutes before the hour fixed for the meeting of the House, clear the House of all persons not entitled to the floor. It shall be the duty of the doorkeeper to see to it that all persons not entitled to the privileges of the floor are at all times excluded.

Rule 2. The Speaker shall take the Chair every day at the hour fixed on the preceding adjournment. He shall immediately call the members to order, and on the appearance of a quorum cause the journal of the preceding day to be read.

Rule 3. The order of business in the House shall be:

(1) Report of the Committee on Rules.

(2) Reports of other standing committees of bills or resolutions, which shall be forthwith read by their titles a second time. In the call of committees the Speaker shall call them in their order. If the Speaker does not finish the call of committees before the House passes to other business, he shall resume on the next call where he left off.

(3) The call of counties in alphabetical order for the introduction of bills, resolutions, memorials, and petitions. If the call has not been completed by the hour of 12 M., the Speaker shall resume on the next day.

(4) Whenever any message is received notifying the House of the passage of Senate bills, the Clerk shall, immediately after the message is read, proceed to read the bills by title, unless the reading at length be called for by some member, in which event the bills shall be read

at length and referred forthwith to a committee. The House shall then proceed with the business upon which it was engaged when the message was received.

(5) The unfinished business in which the House was engaged at its last adjournment.

When the hour of 12 M. arrives, or before that hour if the call of counties has been completed, business shall proceed in the following order:

(6) Executive messages shall have priority over other business, and as soon as they are received they shall be read by the Clerk and a proper disposition made of them; and the House shall thereupon proceed with the business engaged in when interrupted by the message.

(7) Bills and resolutions on the calendar shall be taken up at 1 P. M. on each day, unless reached earlier; and no bill or resolution on the calendar shall be taken up out of its order.

(8) Miscellaneous business.

Rule 4. The rules of the House shall not be suspended except by a four-fifths vote of a quorum present and voting.

Rule 5. No rule shall be rescinded or amended without one day's written notice of the motion thereof being given.

Rule 6. Any matter may, by a vote of a majority of the members present, be made the special order for any hour, which shall take precedence at that hour of any other business except a motion to reconsider. Provided, That a motion to make a bill or resolution a special order shall give the number of the bill or resolution. And provided further, That no bill or resolution shall be set for a special order or consideration except by a resolution reported from the Committee on Rules.

Rule 7. Upon the introduction of a bill the same shall be read by its title only, unless a reading at length be called for by some member, in which event it shall be read at length; and upon such reading, the bill shall be referred to a standing committee.

Rule 8. Every bill including proposed Constitutional amendments shall, on its first reading, be referred to a standing committee, but the reference to one committee shall not preclude a recommitment to another; and on recommitment the bill shall be open to amendment.

Rule 9. All bills shall be dispatched in the order in which they are introduced, unless the House otherwise directs.

Rule 10. No bill or joint resolution shall be received unless it is written on an entire sheet of paper.

Rule 11. When a motion is made it shall be stated by the Speaker; or if it is in writing it shall be read aloud by the Clerk. Every motion shall be reduced to writing if the Speaker or any member requests it.

Rule 12. After a motion is stated by the Speaker or read by the Clerk, it shall be deemed in possession of the House, but it may be withdrawn by leave of the House at any time before a vote is taken thereon.

Rule 13. Motions may be received in the following order when a question is before the House, to-wit: First, to fix the time to which the House shall adjourn; second, to adjourn; third, to indefinitely postpone;

fourth, to lay on the table; fifth, the previous question; sixth, to postpone to a certain day, not beyond the probable duration of the session; seventh, to commit; eighth, to amend.

Rule 14. A motion to adjourn shall always be in order, even in the absence of a quorum.

Rule 15. The previous question shall be in the following form: "Shall the main question be now put?" If demanded by a vote of a majority of the members present, its effect shall be to cut off all debate and bring the House to a direct vote, first upon the pending amendments, if there be any, in their order, and then on the main question; but the mover of the question or the chairman of the committee having charge of the bill or resolution shall have the right to close the debate after the call of the previous question has been sustained, for not more than ten minutes.

Rule 16. Bills, motions, and reports may be recommitted at the pleasure of the House.

Rule 17. The tabling of an amendment or subsidiary motion shall not have the effect of carrying with it the original proposition.

Rule 18. When a bill is reported favorably to the House and a minority report accompanies the favorable report, the minority report shall be considered an amendment and the bill shall be read a second time; and said bill and minority report shall be placed on the calendar and be considered on the third reading of the bill.

Rule 19. Any member may call for a division of the question when the sense of the proposition will admit it.

Rule 20. No member shall speak more than ten minutes at any time, except as provided in Rule 29.

Rule 21. When the ayes and noes are desired, the Speaker shall be first called, and if the House be equally divided, the question shall be lost.

Rule 22. When a vote has been announced by the Speaker—except on a previous question, or on a motion to lay on the table, or to take from the table—it shall be in order for any member who voted with the prevailing side to move for a reconsideration thereof, Provided, that the motion is made on the same day, or by filing a written motion with the Clerk within one hour after reading the Journal on the succeeding day. Such motion shall be considered forthwith after disposition of any business then before the House or any business taking precedence thereto, unless by a majority vote the same be fixed for consideration at another time. When a motion for reconsideration is decided that decision shall not be reconsidered and no question shall be twice reconsidered. Provided, That a motion to reconsider a vote upon any incidental or subsidiary question shall not remove the main subject under consideration from the House.

Rule 23. No member shall be permitted to explain his vote after a vote has been ordered upon any question except by unanimous consent.

Rule 24. When taking the yeas and nays the electrical roll call system may be used, and when so used, it shall have the same force and effect as a roll call taken viva voce.

When the House is ready to vote upon any question requiring a roll call and the vote is to be taken by the electrical roll call system, the Speaker shall announce: "The question is on (designating the matter to

be voted upon). All in favor of such question shall vote 'yea', all opposed, 'nay.' The House will now proceed to vote."

The Clerk immediately shall start the vote-recording equipment and when every member has voted, he shall lock the machine, record the vote, and advise the Speaker of the result; the Speaker shall announce the vote to the House.

Any member shall be privileged to vote or change his vote after the vote-recording equipment has started to operate, by rising in his seat and announcing his vote before the result of the vote has been announced by the Speaker.

No member shall vote for another member; nor shall any person not a member cast a vote for a member. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member may be punished in such manner as the House may determine. If a person not a member votes or attempts to vote for any member, he shall be barred from the floor of the House for the remainder of the session, and he may be punished further in such manner as the House may deem proper.

RULES RELATING TO MEMBERS OF THE HOUSE

Rule 25. No member shall absent himself from the sessions of the House, unless he may have leave, be sick, or unable to attend.

Rule 26. Fifteen members shall have power to send for absent members or to move a call of the House, but no call of the House shall be made except on the concurrence of a majority of the members present. A majority of the House shall be a quorum to transact business. If those who vote are sufficient in number to show that a majority constituting a quorum so acted, those who thus voted only shall be counted as constituting the House for the purpose of that vote; but when any question is put to the House, and a quorum is not recorded as voting, the Speaker shall, before announcing the vote, on his own motion or on suggestion of any member of the House, instruct the Clerk to record as present a sufficient number of those members physically present in the House to constitute a quorum, though all present are not participating.

Rule 27. Members shall particularly forbear personal reflections, and no member shall name another in argument or debate.

Rule 28. When any member is about to speak or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

Rule 29. No member shall speak more than twice on the same question without leave of the House, unless he be the mover or chairman of the committee proposing the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

Rule 30. Upon the call of the House the names of members shall be called alphabetically and each member shall answer from his seat.

Rule 31. When a vote is taken by ayes and noes and a member who has been absent returns before the question is decided, he shall be privileged to make inquiry of the subject before the House and to record his vote without discussion.

Rule 32. If any member transgresses the rules, in speaking or otherwise, the Speaker shall, or any member may, call him to order, in

which case the member called to order shall immediately sit down, unless he is allowed to explain; and the House shall, if appealed to, decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case requires it, he shall be liable to censure.

RULES RELATING TO THE PRESIDING OFFICER

Rule 33. The Speaker shall preserve order and decorum. He may speak to points of order in preference to other members, rising from the Chair for that purpose. He shall decide questions of order, subject to an appeal to the House at the request of any member, which appeal shall be decided without debate.

Rule 34. The Speaker shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment, or he may designate a member as Speaker pro tem and the member so designated shall have and exercise all the powers and duties of Speaker for the time such member is acting as Speaker.

Rule 35. When two or more members rise at the same time, the Speaker shall name the person who is to speak first.

Rule 36. All questions shall be distinctly put in this form, viz: "Those in favor (as the question may be) say 'aye,'" and after the affirmative voice is expressed, "Those opposed to the motion say 'no.'" If the Speaker doubts, or if a division is called for before a decision is announced, the members shall divide; those for the affirmative of the question shall rise from their seats, and afterwards those in the negative.

Rule 37. The Speaker shall appoint all committees, unless otherwise directed by the House, and he may designate who shall be chairmen and vice-chairmen.

Rule 38. In appointing a committee from the several subdivisions of the State, the Speaker shall designate who shall be chairman of such committee.

Rule 39. The Speaker shall appoint a Reading Clerk for the House.

RULES RELATING TO COMMITTEES

Rule 40. The following shall constitute the standing committees of the House:

(1) Rules, of which the Speaker shall be chairman, which committee shall have the right to report at any time

(2) Ways and Means

(3) Judiciary

(4) State Administration

(5) Business and Labor

(6) Health

(7) Insurance

(8) Education

- (9) Agriculture
- (10) Conservation
- (11) Public Welfare
- (12) Constitutions and Elections
- (13) Transportation
- (14) Local Government
- (15) Military Affairs
- (16) Local Legislation No. 1
- (17) Local Legislation No. 2
- (18) Local Legislation No. 3

Rule 41. No committee shall sit during the sitting of the House without special leave.

Rule 42. Upon a vote of a majority of the whole House any standing committee may be directed to act on any bill which shall have been referred to such committee, and to report the same to the House at its next sitting, in default of which such committee, or any of its members, shall be subject to such censure as the House may impose. Provided, That one day's notice in writing shall have been given to the House immediately after the call of the counties.

Rule 43. When the chairman of a committee is absent, the vice-chairman, if any, if not the member whose name appears second on the committee, shall, during the absence of the chairman, become chairman and have power to call together the committee for the consideration of bills. A majority of the committee shall constitute a quorum for the transaction of business.

Rule 44. All resolutions shall be referred to and reported from the Committee on Rules before they are voted on.

Rule 45. When a committee has decided adversely to any bill or resolution, such action shall be endorsed thereon and said bill or resolution reported to the House and placed on the adverse calendar. Any member may, after one day's written notice, on the day named in said notice, after the call of the counties, move to take such bill or resolution from the adverse calendar, when the same may, by a vote of a majority of the entire House, be placed on the regular calendar.

Rule 46. Every bill the principal purpose of which is to make an appropriation shall be referred to the Committee on Ways and Means before being placed on the calendar. When any bill making an appropriation is previously referred to another committee and reported favorably, it may be re-referred to the Committee on Ways and Means, which shall act upon said bill and return the same to the House within two weeks.

Rule 47. No special committee, except a committee of inquiry, shall report but upon leave granted by vote of the House. A committee of inquiry may report at any time.

Rule 48. In the appointment of a committee to visit any public institution of the State no Representative who is a resident of the county in which such institution is located, or of an adjoining county, shall be appointed to such committee.

Rule 49. The rules of procedure in the House shall be observed in Committee of the Whole as far as they may be applicable. Provided, That Rule 29 and the previous question rule shall not be applicable.

Rule 50. In forming a Committee of the Whole House, the Speaker shall leave the Chair and appoint a chairman to preside.

Rule 51. Upon a bill being committed to a Committee of the Whole House, the same shall be first read throughout by the Clerk, and then by clauses, leaving the preamble to be the last considered. After the report, the bill shall be subject to debate and amendment by clauses before the question of engrossing is taken.

RULES RELATING TO THE CLERK AND THE JOURNAL

Rule 52. The name of a member who introduces a bill or joint resolution shall be by him endorsed upon the same, and shall be inscribed by the Clerk upon the engrossed and enrolled copies when transmitted to the Senate or the Governor.

Rule 53. When a bill passes it shall be certified by the Clerk, who shall note the date of its passage at the foot thereof.

Rule 54. Communications from the House of Representatives to the Senate shall be under the signature of the Clerk. When House bills are signed by the Speaker, the Clerk must by message notify the Senate and request the signature of the President.

Rule 55. All bills acted upon by committees shall be endorsed as follows:

“This bill having been referred by the House to its Standing Committee on _____ was acted upon by such committee in session and returned therefrom to the House with the recommendation that it be _____ passed.”

Rule 56. The Clerk shall furnish to the members daily a printed calendar of all bills and resolutions on third reading, which bills and resolutions shall be arranged in the order in which they are entitled to consideration.

Rule 57. The chairman of any committee may have a bill printed upon the filing of a request with the Clerk.

Rule 58. Every bill making appropriation from the state treasury or increasing or decreasing state revenue shall, before any vote is taken thereon by the House, have endorsed thereon or attached thereto a reliable estimate of the amount of money involved therein, and the anticipated increase or decrease in public spending or the increase or decrease in revenue collections under the provisions of the bill. The estimate (or fiscal note) shall be prepared by or under the supervision of the standing committee to whom the bill is referred, and the estimate (or fiscal note) endorsed on the bill or attached thereto shall be printed on the calendar of bills on third reading immediately following the title of the bill.

Rule 59. There shall be printed on the calendar of bills on the third reading, immediately following the title of every bill which would amend a section or part of the Code by reference to its number only, a brief statement of the general subject to which such section or part of the Code relates. The Clerk of the House shall see to it that this rule is enforced.

And the resolution, H. R. 1, was adopted.

Also:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring that the following be adopted as the Joint Rules of this, the Organizational Session, the Regular Session and all extraordinary sessions of this Legislature:

JOINT RULES
OF THE TWO HOUSES OF THE LEGISLATURE OF
ALABAMA
1967

1. Messages from one house to the other shall take precedence over all other questions.

2. When House or Senate bills are signed by the presiding officer of the House or Senate, the Clerk or Secretary, as the case may be, shall notify the other house and request the signature of the presiding officer to the same, and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate, as prescribed by the Constitution.

3. No local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits one original and two exact copies of proof thereof with the bills.

4. All bills for amendment to any section or part of the Code by reference to the section or other subdivision of the Code must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or subsection relates.

5. The Secretary or the Clerk, as the case may be, shall, when a bill is duly enrolled and signed by the presiding officers of both houses, deliver the bill to the Governor, noting thereon the day and hour and minute of delivery, and he shall make a written report to the house where the bill originated showing the number and title of the bill and time of delivery, which shall be spread upon the Journal.

6. All legislative documents, reports, or other papers which may be ordered printed by either house shall be printed in octavo form, 23 ems measure in width, in 10 point type, with one lead only, saddle stitched or wired on the side, and the title page shall have a heading in substantially the following form:

IN THE LEGISLATURE OF THE STATE OF
ALABAMA
1967

Legislative Document No. _____

(or Calendar No. _____, for that publication, with the name of the particular house.)

7. Bills or resolutions ordered printed by either house, or by any committee or the chairman thereof under the rules of the respective houses shall be given a printed bill number in the order received by the printer, in addition to the Senate or House number, be saddle stitched

or wired on the left side, and the heading of each shall be substantially as follows:

Printed _____ Senate (or House)
No. _____ No. _____

IN THE LEGISLATURE OF THE
STATE OF ALABAMA
1967

Jan. (or other date) _____ Senate (or House) Bill (or
resolution) No. _____, introduced by Mr. _____ of
_____ (County).

Read 1 time and referred to committee on _____ (or
such other action, showing status at date printed).

Jan. (or other date) _____ copies
ordered printed by the Senate (or House).

8. The printer shall print two hundred and fifty copies of each legislative document for the use of the Department of Archives and History, unless otherwise ordered by the Director.

9. The privileges of the floor of both houses are accorded the Directors and employees of the Department of Archives and History and the Legislative Reference Service in aid of the reference work required by law to be done by the Service for members of the Legislature.

10. The presiding officer of the Senate shall preside when the two Houses meet in joint sessions.

On motion of Mr. Merrill the rules were suspended and H. J. R. 2 was adopted.

Also:

By Mr. Merrill:

H. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Representatives has perfected its organization and elected its permanent officers and is now ready for the transaction of public business; that he communicate to the Senate the names of the several officers elected by the House.

On motion of Mr. Merrill the rules were suspended and H. R. 3 was adopted.

Also:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Lieutenant Governor of Alabama is authorized to employ on a full time basis, whether the Legislature be in session or not, a full time secretary, whose compensation shall be fixed by the Secretary of the Senate at an amount not less than \$16 per day, and the Speaker of the House of Representatives is also authorized to employ on a full time basis, whether the Legislature be in session or not, a full time secretary, whose compensation shall be set by the Clerk of the House of Representatives at not less than \$16 per day. The secretary so employed by the Speaker of the House of Representatives shall be covered by the Employee's Retirement System of Alabama from the date of employment. The

secretary employed by the Lieutenant Governor shall not be covered by the retirement system.

On motion of Mr. Merrill the rules were suspended and H. J. R. 4 was adopted.

Also:

By Mr. Merrill:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of five, consisting of two members of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama and inform him of the organization of the Legislature of Alabama, and its readiness to transmit business.

BE IT FURTHER RESOLVED that a Joint Session of the House and Senate be held at 2:30 P. M., today for the purpose of hearing the message of the Honorable George C. Wallace, Governor.

AND BE IT FURTHER RESOLVED that the above Committee advise the Governor that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message and that the Committee escort the Governor to the Joint Session.

On motion of Mr. Merrill the rules were suspended and H. J. R. 5 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Merrill, Mathews and Pruitt.

Also:

By Mr. Merrill:

H. R. 6. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that a Committee consisting of eight members of the House, one from each Congressional District, be appointed by the Speaker of the House to assign seats to the several members of the House.

On motion of Mr. Merrill the rules were suspended and H. R. 6 was adopted.

And the Speaker appointed as a committee Messrs. Garrett, Bassett, Steagall, Merrill, Pruitt, Bowers, Meade and Pennington.

Also:

By Mr. Merrill:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 11, 1967, at 10:30 o'clock A. M.

AND BE IT FURTHER RESOLVED that the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives at 10:30 A. M., January 12, 1967, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 8, 1966, as required by Section 115 of the Constitution of Alabama.

On motion of Mr. Merrill the rules were suspended and H. J. R. 7 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwyn, Pierce, Torbert and Folsom:

S. J. R. 7. WHEREAS Mr. Ben S. Gilmer, recently elected president of the American Telephone and Telegraph Company is the first Southerner ever to be named head of this corporation which is the world's largest industrial enterprise; and

WHEREAS Mr. Gilmer, descendant of families long prominent in the history of the South, was reared in Montgomery and educated in the public schools of this city, was graduated from Auburn University and is a product of this State in whom Alabamians take much justifiable pride; and

WHEREAS we congratulate Mr. Gilmer upon his elevation to this high position which he so richly deserves because of his many dedicated years of hard work and able services in a series of increasingly responsible positions which evidenced his unusual business acumen and unquestioned integrity in all his dealings, and we commend the American Telephone and Telegraph Company upon its recognition of Mr. Gilmer's rare talents and its ability to secure his services as its chief executive officer; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we cordially invite Mr. Gilmer to address a joint session of the two houses on Wednesday, January 11, 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House that the Senate has perfected its organization by the election of the following officers:

President Pro Tempore: Honorable O. J. Goodwyn

Secretary: Honorable McDowell Lee

Assistant Secretary: Mrs. Nell W. Ruffer

and is now ready for the transaction of public business.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when the Legislature adjourns today, it adjourn to meet again on Wednesday, January 11, 1967; and that when the Legislature adjourns on Wednesday, it adjourn to meet again on Tuesday, January 17, 1967, and when it adjourns on Tuesday, January 17, it adjourn sine die.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pruitt the rules were suspended and the House concurred in and adopted the S. J. R. 4 set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Merrill the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

JOINT SESSION

The hour of two thirty o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 5 heretofore adopted, for the purpose of hearing an address by His Excellency, George C. Wallace, Governor of the State of Alabama.

The joint session was called to order by the Honorable James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered in person the following message:

Lt. Governor, Mr. Speaker, Members of the Alabama Legislature:

The Alabama Constitution assigns me the duty to report to you on the condition of the State and to recommend legislation or other action as may seem to be appropriate.

Before proceeding, I want to use this opportunity to congratulate those of you who have been re-elected to the Legislature. The State is fortunate to again have the benefit of your experience and your proven dedication to the public interest.

To those of you who have been elected to a first term, I congratulate you.

A report on the condition of the State calls for an account of the accomplishments of the various departments of state government from which we can judge how effectively each has functioned in its respective area of responsibility.

This, in turn, provides a basis for an evaluation of a Governor's administration. However, in order to properly evaluate the record of an administration, we must relate what has been accomplished to the goals the administration had set out to achieve.

In this connection, my comprehensive goal for this administration was based on a sincere personal conviction that state government exists to serve the people. My goal, in simplest terms, was to make state government a more effective instrument of service.

This meant that we had to pin-point what we considered the most pressing needs and formulate policies and programs to meet those needs.

There has never existed from one administration to the next an identical priority of needs. Conditions and circumstances of a particular time and place in history dictate the priority because conditions and circumstances are never quite the same from one administration to the next.

When we assumed office in 1963, Alabama was in an unstable period of transition from an agricultural to an industrial economy. The situation was further complicated by giant strides in science and technology which brought into being new concepts, procedures, opportunities and challenges.

Our per capita income lagged far behind the rest of the nation. We were not providing adequate educational opportunities for our children; and we were not fully developing our human and natural resources. It seemed to me we lacked a goal and a plan and the drive to push forward into the future.

So, when I took office, it seemed to me the greatest need in Alabama was to galvanize every department and agency of state government and gear it to the task of creating conditions necessary for rapid economic progress.

Of course, economic progress breaks down into a number of related goals, and this called for the establishment of priorities and emphasis.

It seemed to me that a first essential to economic progress was to guarantee the people an honest and efficient administration of state government. After that, and in order: an educational system of unequalled excellence; an aggressive campaign to bring new industrial plants, factories and jobs into Alabama; a modern system of safe highway transportation; and, finally, a strenuous defense of our free enterprise system and our constitutional system of government.

Obviously increased revenues derived from an expanding economy would do much to help the state meet its responsibilities to the aged, the sick, blind, tubercular, mentally ill and handicapped.

These, then, were our goals. From these the separate departments of state government received direction, impetus and singleness of purpose.

Before proceeding to a consideration of the separate departments, I want to list some of the highlights of this administration from which you may judge how far we have progressed in reaching our goals.

The next administration will begin with a surplus of 4½ million dollars in the General Fund and a 35 million dollar surplus in the Special Educational Trust Fund.

State Competitive Bid Laws have been strictly adhered to and its provisions expanded to cover the sale of state surplus property.

We have maintained open spending records.

We abolished the vicious "whiskey agent" system in Alabama.

We stopped the purchase of luxury cars for state employees and acted vigorously to regulate their use.

Appropriations for public education have been increased 100%.

Fourteen Junior Colleges and Technical Schools and fifteen additional trade schools have been opened.

Free textbooks have been furnished children in grades one through twelve.

Teachers' salaries were increased by an average of 42.4%. Retired teachers' benefits were increased 100%.

Operating funds for all public schools were increased by 89.93%.

We expanded the University of Alabama Medical Center at Birmingham and established the University of South Alabama at Mobile—the first new University in Alabama in 90 years.

Alabama leads the South in capital investment in new and expanded industry in the amount of \$1.8 billion dollars, and 100,000 new job opportunities, over a four year period.

The State has enjoyed the greatest highway program in the history of the state in all categories of construction and maintenance.

The Alabama travel industry has recorded its greatest growth in the history of the State.

The State Docks Department has established new records in tonnage and in net profits.

The Department of Industrial Relations has recorded the highest total employment in the history of the state and the lowest unemployment in the history of the state.

Unemployment compensation benefits and workmen's compensation benefits are at record highs, while the cost to the employer and employee has steadily declined.

The State Banking Department records new highs in financial institution assets in banks, savings and loan associations, credit unions and other commercial banking enterprises.

The State Insurance Department reports a record breaking growth in life insurance protection purchased by Alabama families.

The State Building Commission is supervising the largest capital improvement program in the history of the state.

Average earnings of factory workers are 10% higher in Alabama than in the Southern Region.

Alabama is second in the nation in the rate of increase in per capita income.

A state-wide program has been launched for mentally retarded.

Appropriations for support to patients at Bryce and Partlow hospitals, at Talladega School for Deaf and Blind, and for patients in tubercular hospitals are at all time highs.

We have enacted an effective water pollution law in the interest of public health and improvement of the recreational and industrial potential of our abundant water resources.

We have modernized and improved our prison system with emphasis on rehabilitation. We have reduced working hours for prison guards, truck drivers and other hourly rate state employees from the previous 10-12 hour day to an eight hour day and provided an equitable increase in their compensation.

We have added a total of 250 State Troopers in the Department of Public Safety in order to provide more effective protection of life and property both in our communities and on the public highways.

We have provided a life insurance program for our firemen, policemen and other public officials who must at times, in line of duty risk their lives in furtherance of public security.

We have provided cost of living salary increases and a medical and hospital plan for state employees in order to remain competitive with the private sector of our economy and thus to enable us to retain the services of an experienced and dedicated corps of state employees.

The number of hospital beds and nursing home beds are at all time highs.

Medical benefits for the aged and indigent are at an all time high.

Benefits paid to the aged, sick and blind, and other handicapped persons are at an all time high in all categories of public assistance.

Alabama leads the nation in civil defense preparedness.

We have taken the initiative in combating arbitrary exercise of power by federal bureaucrats and started a nationwide movement to bind the federal executive power by the rules of law.

I could continue to cite examples of records, but my purpose is only to illustrate the extent of economic progress during this administration. For it is this type of growth which has produced the added revenue which has enabled us to expand and enlarge state services in all departments.

It is interesting to note that despite this progress Alabama has the lowest per capita tax in the nation and spends less than 5% of its revenue for debt service.

At this point, I want to say that copies of a detailed account of the activities of the separate departments along with specific recommendations will be handed to you during this organizational session.

The length of the report precludes possibility of reading at this time, and I am sure you would much prefer to study it at your convenience.

However, there are a number of major recommendations which I shall now mention, for emphasis, although some are covered in the written report.

RECOMMENDATIONS

1. We recommend legislation to require banks to pay interest on state surplus, reserve and trust funds held by them on deposit. We believe most Alabama banks will agree to pay a reasonable interest on such funds.

2. Many agencies and institutions of state and local government are not covered by state competitive bid laws. We recommend legislation to require all agencies of government which spend tax money for purchases of goods, equipment and supplies to make such purchases by competitive bid under conditions similar to those prescribed by state laws.

3. Our nation's highway death toll has climbed to 49,000 annually and many thousands more are maimed and disabled. This tragic loss of life is made even more tragic by staggering property damage losses which run into hundreds of millions of dollars annually.

This problem strikes pretty close to home because as parents we know that our children take to the highways just as soon as they are licensed to get behind the wheel. Some of the answers to highway safety are already known. For one thing, it has been demonstrated that traffic accidents can be substantially reduced by constructing parallel lanes to existing over-congested highways.

Protection of life is, of course, the humane concern underlying the need for modern and safe highways. However, there are compelling economic reasons also—economic reasons as old as the history of trade and commerce.

Some thirty years ago, the State of North Carolina financed a tremendous road building program by bond issues and projected that state into an early and enviable lead by taking the state out of the mud and ruts and providing the people a network of convenient and time-saving highways. Today the people of North Carolina enjoy one of the highest per capita incomes in the South, due, in a large measure, to the influx of new industry attracted by improved opportunities for trade, commerce and manufacturing.

In Alabama an expansion of our industrial and agricultural economy and commerce in general is dependent on a modern, convenient and safe net work of highways. The benefits are more than economic. Communities benefit by increased property values; by having a convenient and time-saving means for its citizens to commute to work, to schools, and colleges, and to our cultural trade and recreational centers.

I recommend that you authorize the necessary financing to enable Alabama to meet the challenge of the future and to push steadily forward with the greatest road building program in its history.

This is conservatism in its best sense. It represents conservation of human and natural resources and the employment of man's ingenuity and determination to multiply the benefits for the advantage of all.

This program should encompass a continuing aid program to the cities and to the counties.

4. We recommend that the State Personnel Board consider a cost of living increase for state employees to enable us to remain competitive with the private sector of our economy in an existing tight labor market.

5. We recommend continued support of education on all levels from kindergarten to graduate school, and that you give special attention to our junior college and trade school program to assure every boy and girl in Alabama an opportunity for post high school training regardless of financial circumstances of the student's family.

6. We recommend that everything humanly possible be done to help provide a fuller and happier life for our aged citizens. And that you respond to the fullest extent that our resources permit to the needs

of our blind, physically handicapped, mentally ill and tubercular patients and the needs of the institutions upon whom we depend for their care.

7. We recommend a continued aggressive campaign to attract new industries and job opportunities into Alabama.

8. We recommend a continuation of our airport programs but a drastic reduction or outright repeal of the present aviation gasoline tax.

9. We recommend a capital investment for construction of ore handling facilities at our State Docks in order to further develop the 200 million dollar industrial potential in the recently acquired Theodore Industrial Park. No tax funds are involved. Earnings from the docks facility are more than adequate to amortize the cost.

10. We recommend enlargement and improvement of our system of State Parks. Alabama is gaining increased national attention, and hundreds of thousands of visitors are dropping in on us and enjoying our excellent recreation and historic attractions. Our parks pay for their own upkeep and maintenance from nominal fees.

11. Areas of disagreement between large and small counties of Alabama can be resolved. We are all Alabamians and all of us want to serve the best interest of the state. A sincere, conscientious and intelligent approach to this problem is in the interest of all of our people. I recommend, therefore, that these problems be approached in a spirit of harmony and with determination to reach equitable and fair solutions without resort to time consuming, costly disruptive tactics.

As already mentioned, we have offered additional recommendations relating to each of the departments of state government covered by the report to be handed to you.

At this moment, I want to discuss in some detail that part of my program relating to defense of constitutional government and our efforts to bind federal executive power by rules of law.

DEFENSE OF OUR CONSTITUTIONAL GOVERNMENT

From the standpoint of defending our constitutional system of government, we have moved to the offensive—we have taken the initiative on every front. We have resorted to the courts and we have gone before the people.

In taking our case to the people, we have emphasized the positive side of our position. We have said on many occasions from coast to coast that there is nothing in our philosophy to give offense to persons of any race, creed, or color but by the same token we oppose principles by whomsoever advocated which tend to destroy our constitutional form of government and which conflict with principles upon which our constitution was founded.

We have been pleased by the reception this approach has received and we are encouraged by the groundswell of support from all sections of the nation.

Evidence piles up from day to day that the people of this country are simply fed up with the antics of strutting bureaucrats lording over them—telling them when to go to bed at night and when to get up in the morning.

They are fed up with bureaucrats telling them that they haven't got sense enough to know what is best for their children or sense enough to run their own schools and hospitals and local governments.

They are disgusted by the spectacle of federal officials running around the country urging people to "peacefully" take to the streets, despite evidence that it has the effect of producing "peaceful riots" and "peaceful assaults" with guns, rocks and "Molotove Cocktails", upon policemen, firemen and others trying to protect life and property in their communities.

One hears the question continuously, "Why don't they do the job they are supposed to do instead of trying to run other people's lives?"

The Constitution assigns to the Federal Government specific responsibilities and all the powers it needs to perform its duties. Enough federal responsibilities are assigned to keep all the eggheads and social engineers in America busy from now to eternity if they would only do the job they are supposed to do and leave to the states the things state and local governments are equipped to do.

One would think that the bureaucrats had enough to do straightening out the messes in Washington without trying to regulate mustard seed and running local schools and hospitals.

I believe the people of the United States have come to realize that they are witnessing not causes—but effects. And I believe they are beginning to sense that the underlying source of these complaints is an incompetent, unrestrained federal judiciary.

Under the direction of the federal judiciary, solemn guarantees of the United States Constitution have been dismembered with a broad sword. It is wielded at times in arrogance and malice . . . sometimes in ignorance, but most often by design and with intent to destroy the institutions of local government.

To paraphrase the great Winston Churchill—Never before have so few destroyed so much of so many in so short a period of time.

These Federal judicial blackguards have torn down the temples of a great judicial tradition built by their betters and have sown the soil around it with salt. They are the architects and engineers of destruction. The truth is that they have been led to believe themselves an "elite"—the chosen guardians of a platonic republic.

They have been led to believe that "God is Dead" and this being so, that they are His heirs to supernatural powers of omnipotence and prescience.

With these powers they now pretend to read the future and to fix the "ends of Law", of life, and of society by their visionary forebodings.

And they, like their predecessors in the history of tyranny, assert the power in government to accomplish its ends regardless of the law of the will and wishes of the people.

But there's the rub—because the inevitable "end" in these trends is totalitarian serfdom. Serfdom under a central government, enthroned as lord and master—giving and taking the necessities of life by whim and caprice.

This awesome barbaric vandalism is only now beginning to shock the conscience of a free people. In the meantime, in fiat after fiat, federal courts continue to forge link after link in a chain to bind us to abject servility to an all powerful government.

Unfortunately, Congress has abdicated its responsibility to the federal executive and is completely subservient to the federal judiciary.

It is hard to grasp the magnitude of this tragedy. Our Anglo-Saxon forebears purchased the laws to bind the powers of government at a cost of a thousand years of struggle, toil, blood, imprisonment, banishment and sacrifice.

But today the federal judiciary has set the torch to the rules of law of our Western culture and has unleashed upon the "Rule of Law State", the decadent doctrine of unlimited and arbitrary power in the Executive.

Congress can no longer bind the bureaucratic parasites by specifically expressing its intent in the law.

Laws of Congress are now amended, supplemented or repealed at will by mimeographed regulations and guidelines—by oral directives and penciled memorandums issued by faceless petty executives of a department of federal government.

Let me tell you this. Every dictatorship in Europe was made possible when their Parliaments and Courts authorized unlimited powers of discretion in the Executive.

In all cases the powers were sanctioned by vague and ill defined grants of power to accomplish vague and ill defined social ends. This nation is today being led down the same path by unprecedented betrayal of trust placed in the federal judiciary.

I know that some people will think this an exaggeration. It is not. The United States Federal Judiciary has departed so far from the bounds of rational law that brows are lifted in shock and wonderment the world over.

Even the minister of justice of one of the "emerging" nations warns all would-be judicial godheads that:

"A constitution . . . is a selection of legal rules which govern the government of a country . . . this is the crux—rules which govern the government".

He correctly inferred that a constitution is nothing more than a scrap of paper unless it is accepted by government itself as representing the form of government that the people want.

When we consider that the federal judiciary is presiding over the destruction of our federal system of government of dual sovereignty and limited powers and making it over into a nationalist socialist government with powers limited only by day by day "notions" of members of the court, all without constitutional amendment and thus without consent of the people, we can understand what the above jurist had in mind when he said:

" . . . loss of faith in its ultimate authority will reduce a constitution to the faracial status reached by certain countries of the world where they are altered or over-ridden at will by those in power without a word of protest from the people themselves".

Yes, we can understand the deep concern of jurists in emerging nations who see this breakdown in constitutional government and the example of judges who flaunt the law with impunity.

We should never stop fighting judicial tyranny until it is rid of judges and bureaucrats who believe that their individual "notions" are superior to the law written in the Constitution which they swore to uphold and defend.

What can members of our armed forces think when they see "freedom of speech" distorted into license to conduct pep rallies to encourage other youth to burn draft cards?

Does anyone imagine that troops are not concerned when freedom of speech is claimed as a protection of hoodlums to harrass, interfere with and impede the movement of troop trains?

It makes good sense to resist communist aggression whenever it appears. Who can square with common sense this business of protecting communists and other enemies of our nation while they go about the country conducting drives for blood, money, and clothing in order to send it to our enemies to increase their capability for killing our own men.

Our men are fighting, dying, suffering, enduring hardships, and living under a strain and suspense that only combat troops can know.

Why do we tolerate this nonsense? Why do we permit the pest holes in some of the ivory towered colleges and universities in this country and in some of the social clubs they call churches to continue to shelter atheistic, materialistic, communistic enemies whose actions would be treason in saner times.

Are we helpless? Are we indifferent? Are we so wishy-washy as to permit this sort of thing to continue?

I know the answer. American citizens, in increasing volume from every section of this nation, are urging the people of Alabama to lead a movement to restore common sense to its proper place in the affairs of government and to restore patriotism and the love of God and country to their honored places in the hearts and minds of our people.

You can help, this new legislature of able and determined representatives from every section of Alabama can help inspire fellow Americans to stand up and be counted on the side of those who say "Thus far we go and no further".

I know it is easier at times to shun controversy and to avoid conflict. But—life is short and the issues today are determinant and we must take a stand.

I urge you to continue in the tradition of the last Alabama legislature to resist to the fullest extent of your constitutional powers these dangerous trends. One day you will be proud to say that you did and that you played an important part in saving our republic.

In closing, I want to express my heartfelt thanks to the people of Alabama who, through their support, have said they want this fight carried on. My prayers are that we may continue to merit the support of the American people.

It is a high honor to be elected to the office of Governor of Alabama. I have been humbled and honored by the great trust and confidence thus bestowed upon me and I am deeply grateful for the opportunities it has provided to fulfill the obligations of that trust to the best of my abilities.

I want to acknowledge the loyal support of an honest and competent cabinet, the members of which have done so much to help me. I thank them most sincerely.

Too, I want to thank all of the members of the last Alabama Legislature. Our relationship has been cordial and constructive, in the main, and they deserve the gratitude of all of the people. Their cooperation, hard work and continuous support has made it all possible.

Finally, I submit the record of this administration to your judgment and to the judgment of an impartial history.

Whatever that judgment may be it is the people of Alabama who deserve the credit. For, to the fullest extent of my abilities—I have been guided in all things by what I believed to be their will, their wishes, and the highest aspirations of our people.

I sincerely thank you.

Mr. Pennington moved that the Senate and House of Representatives in Joint Session adopt the principles of Constitutional Government as outlined in the message delivered by His Excellency, George C. Wallace, Governor of the State of Alabama.

The motion was adopted.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

ANNOUNCEMENT OF STANDING COMMITTEES OF THE HOUSE

The Speaker of the House announced the following Standing Committees of the House:

STANDING COMMITTEES FOR THE HOUSE OF REPRESENTATIVES

RULES COMMITTEE

Rankin Fite—Chairman, Hugh Merrill—Vice Chairman, Lewis Headley, Quinton Bowers, L. D. Owen, Ralph Meade, Gardner Bassett, B. Val Hain, Casey Downing, Frank Jackson, Gus Young, Buddy Crawford, Walker Hobbie, Ed Tuck, Joe Money.

WAYS AND MEANS COMMITTEE

Pete Mathews—Chairman, Joe McCorquodale—Vice Chairman, Hugh R. Thomas, Ira D. Pruitt, Pete Turnham, Howard McElhaney, Coy Smith, Louie Brannan, Drexel Cook, Owen Harper, Hubert Kilgore, Tom Drake, Bob Stembridge, Frank House, Harry Pennington.

JUDICIARY COMMITTEE

Hugh Merrill—Chairman, Henry Steagall—Vice Chairman, John Blanton, Ralph Slate, Ed Holladay, Lyndol Bolton, Rick Manley, Fred Ray Lybrand, Bert Bank, Billy Melton, Curtis Springer, John Starnes, Tommy Marr, Bryce Graham, John D. Snodgrass.

STATE ADMINISTRATION COMMITTEE

Drexel Cook—Chairman, Ira D. Pruitt—Vice Chairman, Owen Harper, Ernest Collier, Bill Williams, Bob Holman, Frank Jackson, Dave Fine, Newman Yeilding, Curtis H. Springer, Jr., Mike Perloff, Dick Dill, Elwood Hogan, Robert R. Berryman, Eugene McLain.

BUSINESS AND LABOR COMMITTEE

James Haygood—Chairman, Bill Owens—Vice Chairman, Casey Downing, Tom Jones, Sid McDonald, Raymond Weeks, Tommy Watkins, John Culver, Tom Stubbs, G. J. Higginbotham, Thomas Marr, Ray Burgess, Charles Wright, Bob Gafford, Bob Hill.

HEALTH COMMITTEE

Elwood Hogan—Chairman, Ralph Brown—Vice Chairman, Harry L. Pennington, Ralph Slate, Bob Hill, Tom Jones, Bill Lemley, Richard Malone, Bob Adwell, Raymond Weeks, Ben Cherner, Doug Cook, Howard McElhanev, Robert Edington, John Blanton.

INSURANCE COMMITTEE

Tram Sessions—Chairman, Walter Owens—Vice Chairman, Hugh Thomas, Ralph Slate, Dick Dill, Tommy Watkins, James Cameron, Clara Collins, Monty Collins, Bob Gafford, W. M. Beck, Richard Malone, Richard Manley, Bowen Brassell, Coy Smith.

EDUCATION COMMITTEE

Pete Turnham—Chairman, Bob Ellis—Vice Chairman, James Paulk, Jim Wood, Tom Jones, Bill Owens, Doug Cook, Gene Hardin, Verbon Crane, Fred Ray Lybrand, Bert Bank, Harold Harris, Mac Mays, Crum Foshee, Bill Grayson.

AGRICULTURE COMMITTEE

Phil Smith—Chairman, Gene Garrett—Vice Chairman, James Paulk, Gus Young, W. M. Collins, Gardner Bassett, John Starnes, John Culver, Ernest Collier, Harold Harris, Walker Hobbie, Crum Foshee, Ralph Brown, Tom Drake, Billy Laxson.

CONSERVATION COMMITTEE

Dick Owen—Chairman, Gene Hardin—Vice Chairman, Ed Holladay, Edwin Tuck, Joe McCorquodale, Gus Young, Alonzo Shumate, Ben Cherner, G. L. Agee, Oscar Dobbs, Bob Adwell, Tom Stubbs, Richard Manley, Billy Grayson, Hubert Kilgore.

PUBLIC WELFARE COMMITTEE

B. V. Hain—Chairman, Bob Hill—Vice Chairman, Tram Sessions, Ernest Collier, G. L. Agee, Robert Edington, James Cameron, Oscar Dobbs, Thomas Jackson, John D. Snodgrass, Leslie Doss, Philip Smith, Lewis W. Headley, Clara Collins, Mike Perloff.

CONSTITUTION AND ELECTIONS COMMITTEE

Robert R. Berryman—Chairman, Thomas Jackson—Vice Chairman, Charles Snell, W. M. Beck, Jr., Paul Meeks, Bryce Graham, Raymond Weeks, Jim Wood, Ray Burgess, J. T. Waggoner, Jr., James H. Haygood, Eugene McLain, Leslie Doss, Frank House, Lyndol Bolton.

TRANSPORTATION COMMITTEE

Doug Cook—Chairman, Tom Gloor—Vice Chairman, Leon Pearson, Sid McDonald, Monty Collins, Joe Money, Edward Burgreen, Billy Laxson, W. Anderson Berryman, Bill Neville, Jr., Oscar Dobbs, Eugene M. McLain, Alonzo Shumate, L. W. Brannan, Jr., John William Graysen.

LOCAL GOVERNMENT COMMITTEE

Gene Garrett—Chairman, Newman Yeilding—Vice Chairman, Henry Steagall, Buddy Crawford, Charles Wright, Mike Perloff, Bill Lemley, James Cameron, Mac Mays, Bill Williams, Verbon Crane, Frank Jackson, Bryce Graham, Bob Ellis, Walter Owens.

MILITARY AFFAIRS COMMITTEE

Charles Snell—Chairman, G. J. Higginbotham—Vice Chairman, Quinton R. Bowers, Bob Holman, Tom Gloor, Richard Malone, Tommy Watkins, Jim Wood, W. Anderson Berryman, L. Charles Wright, Dave Fine, Bowen Brassell, W. M. Beck, Bill L. Lemley.

LOCAL LEGISLATION NO. 1 COMMITTEE

Gardner Bassett—Chairman, Dave Fine—Vice Chairman, Edwin Tuck, James Hagood, Leon Pearson, Edward Burgreen, Billy Laxson, Bill Williams, Leslie Doss, Ray Burgess, Oscar Dobbs, John Blanton, Bill Neville, Jr., Billy Melton, Bob Stenbridge.

LOCAL LEGISLATION NO. 2 COMMITTEE

Quinton Bowers—Chairman, Paul Meeks, J. T. Waggoner, Jr., Bob Ellis, Hubert Kilgore, Richard Dill, Joe Money, Bob Adwell, Raymond Weeks, Tommy Watkins, Robert Gafford, Tram Sessions, Newman Yeilding, R. F. Holman, Verbon Crane, Doug Cook, Frank House, Ben Cherner, Tom Gloor, Thomas H. Jackson.

LOCAL LEGISLATION NO. 3 COMMITTEE

Coy Smith—Chairman, Jim Wood, Thomas M. Marr, Mike Perloff—Vice Chairman, Clara Collins, Robert S. Edington, Elwood Hogan, Maurice Downing, Monty Collins, Bill Grayson.

SCREENING COMMITTEE

Bill Owens—Chairman, Tom Stubbs—Vice Chairman, John Snodgrass, J. Paul Meeks, Alonzo Shumate, J. T. Waggoner, Jr., Newman Yeilding, Sid McDonald, Ralph Meade.

SEATING COMMITTEE

HOUSE OF REPRESENTATIVES—1967

| | |
|--|------------------|
| Representative W. E. (Gene) Garrett | First District |
| Representative L. Gardner Bassett | Second District |
| Representative Henry B. Steagall, II | Third District |
| Representative Hugh D. Merrill | Fourth District |
| Representative Ira Pruitt | Fifth District |
| Representative Quinton Bowers | Sixth District |
| Representative Ralph Meade | Seventh District |
| Representative Harry L. Pennington | Eighth District |

COMMITTEE APPOINTMENTS

The Speaker announced the following committee appointments:

Hon. Lyndol Bolton, Hon. Mayer W. Perloff and Hon. Ralph A. Meade, members of the Interim Committee for Studying Plan for Development of Capitol Complex.

ELECTION OF LEGISLATIVE AGENTS

Mr. Young placed in nomination for Legislative Agent for Cleburne County Honorable Bill Young, and those who voted for Mr. Young are:

| | | | |
|------------------|----------|--------------|----------------|
| Mr. Speaker | Crane | Higginbotham | Meade |
| Adwell | Crawford | Hill | Meeks |
| Agee | Culver | Hobbie | Merrill |
| Bank | Dill | Hogan | Money |
| Bassett | Dobbs | Holladay | Neville |
| Beck | Doss | Holman | Owen (Baldwin) |
| Berryman (R) | Downing | House | Owens (W) |
| Berryman (W) | Drake | Jackson (F) | Owens (W.E.) |
| Blanton | Edington | Jackson (T) | Paulk |
| Bolton | Ellis | Jones | Pearson |
| Bowers | Fine | Kilgore | Pennington |
| Brannan | Foshee | Laxson | Perloff |
| Brassell | Gafford | Lemley | Pruitt |
| Brown | Garrett | Lybrand | Sessions |
| Burgess | Gloor | Malone | Shumate |
| Burgreen | Graham | Manley | Slate |
| Cameron | Grayson | Marr | Smith (C) |
| Cherner | Hain | Mathews | Smith (P) |
| Collier | Hardin | Mays | Snell |
| Collins (C) | Harper | McCorquodale | Snodgrass |
| Collins (W) | Harris | McDonald | Springer |
| Cook (Coffee) | Haygood | McElhaney | Tuck |
| Cook (Jefferson) | Headley | McLain | |

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Mr. Young, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Cleburne County for the term prescribed by law.

Also:

Mr. Mathews placed in nomination for Legislative Agent for Coosa County Honorable Robert Teel and those who voted for Mr. Teel are:

| | | | |
|--------------|------------------|-------------|--------------|
| Mr. Speaker | Cameron | Hain | Manley |
| Adwell | Cherner | Hardin | Marr |
| Agee | Collier | Harper | Mathews |
| Bank | Collins (C) | Harris | McLain |
| Bassett | Collins (W) | Hogan | Meade |
| Beck | Cook (Coffee) | Holladay | Owens (W.E.) |
| Berryman (R) | Cook (Jefferson) | Holman | Paulk |
| Berryman (W) | Crane | House | Pearson |
| Blanton | Doss | Jackson (F) | Pennington |
| Bolton | Downing | Jackson (T) | Smith (C) |
| Bowers | Drake | Jones | Smith (P) |
| Brannan | Edington | Kilgore | Wood |
| Brassell | Ellis | Laxson | Wright |
| Brown | Fine | Lemley | Yielding |
| Burgess | Graham | Lybrand | Young |
| Burgreen | Grayson | Malone | |

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Mr. Teel, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Coosa County for the term prescribed by law.

Also:

Mr. Jackson placed in nomination for Legislative Agent for Geneva County Honorable Roland Faulk and those who voted for Mr. Faulk are:

| | | | |
|--------------|------------------|-------------|------------|
| Mr. Speaker | Burgess | Downing | Kilgore |
| Adwell | Burgreen | Drake | Laxson |
| Bank | Cameron | Garrett | Lybrand |
| Bassett | Cherner | Gloor | Mathews |
| Beck | Collier | Graham | Money |
| Berryman (R) | Collins (C) | Grayson | Paulk |
| Berryman (W) | Collins (W) | Hain | Pennington |
| Blanton | Cook (Coffee) | Hobbie | Perloff |
| Bowers | Cook (Jefferson) | Hogan | Pruitt |
| Brannan | Crane | Holladay | Sessions |
| Brassell | Dill | Jackson (F) | Shumate |
| Brown | Doss | Jackson (T) | Smith (P) |

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Mr. Faulk, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Geneva County for the term prescribed by law.

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

ELECTION OF LEGISLATIVE AGENTS RESUMED

Mr. Blanton placed in nomination for Legislative Agent for Hale County, Honorable Richard Avery.

Mr. Owens (Hale-Bibb) placed in nomination for Legislative Agent for Hale County, Honorable Charles Ramey.

The motion of Mr. Owens (Hale-Bibb) to lay on the table the motion of Mr. Edington that the ballot be secret, was lost.

The result of the secret ballot was:

Avery—73

Ramey—21

Mr. Avery having received a majority of the votes cast, was declared duly and constitutionally elected Legislative Agent for Hale County for the term prescribed by law.

Also:

Mr. Pearson placed in nomination for Legislative Agent for Lowndes County Honorable William Edwards and those who voted for Mr. Edwards are:

| | | | |
|--------------|------------------|-------------|--------------|
| Mr. Speaker | Collins (C) | Graham | Jones |
| Adwell | Collins (W) | Hain | Kilgore |
| Agee | Cook (Coffee) | Hardin | Laxson |
| Bank | Cook (Jefferson) | Harper | Lemley |
| Bassett | Crane | Harris | Lybrand |
| Beck | Downing | Haygood | Malone |
| Berryman (R) | Drake | Headley | Manley |
| Berryman (W) | Ellis | Hogan | Mays |
| Blanton | Fine | Holladay | McCorquodale |
| Bolton | Foshee | Holman | McDonald |
| Bowers | Garrett | Jackson (F) | McElhaney |
| Brannan | Gloor | Jackson (T) | McLain |

| | | | |
|----------------|------------|-----------|----------|
| Meade | Paulk | Sessions | Steagall |
| Meeks | Pearson | Shumate | Thomas |
| Melton | Pennington | Smith (P) | Tuck |
| Money | Perloff | Snodgrass | Watkins |
| Owen (Baldwin) | Pruitt | Starnes | Weeks |
| Owens (W.E.) | | | |

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Mr. Edwards having received a majority of the votes cast, was declared duly and constitutionally elected Legislative Agent for Lowndes County for the term prescribed by law.

Also:

Mr. Paulk placed in nomination for Legislative Agent for Macon County Honorable Andrew Cooper and those who voted for Mr. Cooper are:

| | | | |
|---------------|------------------|--------------|------------|
| Mr. Speaker | Cook (Jefferson) | Laxson | Meeks |
| Bank | Crane | Lemley | Merrill |
| Bassett | Foshee | Lybrand | Neville |
| Berryman (R) | Garrett | Malone | Paulk |
| Blanton | Gloor | Manley | Pearson |
| Bolton | Grayson | Mathews | Pennington |
| Brannan | Hain | Mays | Perloff |
| Cameron | Hardin | McCorquodale | Pruitt |
| Cherner | Hogan | McDonald | Stembridge |
| Collier | Holladay | McElhaney | Stubbs |
| Collins (C) | Jackson (F) | McLain | Tuck |
| Collins (W) | Jackson (T) | Meade | Turnham |
| Cook (Coffee) | Kilgore | | |

—50

Mr. Cooper having received a majority of the votes cast, was declared duly and constitutionally elected Legislative Agent for Macon County for the term prescribed by law.

Also:

Mr. Manley placed in nomination for Legislative Agent for Perry County Honorable Roy Barnett and those who voted for Mr. Barnett are:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Crane | Meeks | Smith (C) |
| Adwell | Jackson (F) | Melton | Smith (P) |
| Agee | Jackson (T) | Merrill | Snell |
| Bank | Jones | Money | Snodgrass |
| Bassett | Kilgore | Neville | Springer |
| Beck | Laxson | Owen (Baldwin) | Starnes |
| Berryman (R) | Lemley | Owens (W) | Steagall |
| Berryman (W) | Lybrand | Owens (W.E.) | Stembridge |
| Blanton | Malone | Paulk | Stubbs |
| Bolton | Manley | Pearson | Thomas |
| Bowers | Marr | Pennington | Tuck |
| Brannan | Mathews | Perloff | Turnham |
| Cameron | Mays | Pruitt | Waggoner |
| Collins (C) | McCorquodale | Sessions | Watkins |
| Collins (W) | McElhaney | Shumate | Weeks |
| Cook (Coffee) | McLain | Slate | Williams |
| Cook (Jefferson) | Meade | | |

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Mr. Barnett, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Perry County for the term prescribed by law.

Also:

Mr. Tuck placed in nomination for Legislative Agent for Pickens County Honorable Oscar W. Hancock and those who voted for Mr. Hancock are:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Burgreen | Drake | Headley |
| Adwell | Cameron | Edington | Higginbotham |
| Agee | Cherner | Ellis | Hill |
| Bank | Collier | Fine | Jackson (T) |
| Bassett | Collins (C) | Foshee | McElhaney |
| Beck | Collins (W) | Gafford | McLain |
| Berryman (R) | Cook (Coffee) | Garrett | Meade |
| Berryman (W) | Cook (Jefferson) | Gloor | Meeks |
| Blanton | Crane | Graham | Melton |
| Bolton | Crawford | Grayson | Pearson |
| Bowers | Culver | Hain | Pennington |
| Brannan | Dill | Hardin | Smith (P) |
| Brassell | Dobbs | Harper | Snell |
| Brown | Doss | Harris | Snodgrass |
| Burgess | Downing | Haygood | Springer |

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Mr. Hancock, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Pickens County for the term prescribed by law.

Also:

Mr. Merrill placed in nomination for Legislative Agent for Winston County Honorable Elwood Rutledge and those who voted for Mr. Rutledge are:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Cook (Coffee) | Hain | Laxson |
| Adwell | Cook (Jefferson) | Hardin | Lemley |
| Agee | Crane | Harper | Lybrand |
| Bank | Culver | Harris | Malone |
| Bassett | Dill | Haygood | Manley |
| Beck | Dobbs | Headley | Marr |
| Berryman (R) | Doss | Higginbotham | Mathews |
| Berryman (W) | Downing | Hill | Mays |
| Blanton | Drake | Hobbie | McCorquodale |
| Brassell | Edington | Hogan | McDonald |
| Brown | Ellis | Holladay | McElhaney |
| Burgess | Fine | Holman | Owen (Baldwin) |
| Burgreen | Foshee | House | Pennington |
| Cameron | Gafford | Jackson (F) | Perloff |
| Cherner | Garrett | Jackson (T) | Pruitt |
| Collier | Gloor | Jones | Sessions |
| Collins (C) | Graham | Kilgore | Shumate |
| Collins (W) | Grayson | | |

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Mr. Rutledge, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Legislative Agent for Winston County for the term prescribed by law.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Relative to the employment of a full time secretary for the Lieutenant Governor and a full time secretary for the Speaker of the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION NO. 2

By Mr. Turner:

JOINT RESOLUTION CREATING AN INTERIM COMMITTEE

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on finance and taxation to meet on call of its chairman during the interim between the dates of January 18, 1967, and the first day of May next following, who shall make a study of the financial condition of the state, hold budget hearings, inquire into ways and means of financing the state government and its programs, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the next regular legislative session.

The committee shall consist of the members of the Senate Committee on Finance and Taxation, the President Pro Tem of the Senate, the members of the Ways and Means Committee of the House, and the Speaker of the House. The Lieutenant Governor shall be an ex officio member of the Committee. The chairman of the Senate Committee on Finance and Taxation shall be chairman of the interim committee and the chairman of the Ways and Means Committee of the House shall be vice chairman.

The chairman of the committee, or in his absence, the vice chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. The chairman of the committee may employ such clerical, technical, and expert assistance as he may find necessary for the proper performance by the committee of its duties.

The compensation of committee members and committee employees shall be paid as provided in Code 1940, Title 32, Sections 13 and 14, and the members shall each be entitled to expenses as provided them for legislative sessions.

RESOLVED FURTHER, That the final report of the committee shall be submitted to the Governor no later than Monday, May 1, 1967, and upon the submission of such report the committee shall be dissolved.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews the rules were suspended and the House concurred in and adopted the S. J. R. 2 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cooper, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner and Vacca:

S. J. R. 9. WHEREAS our beloved and highly esteemed outgoing Lieutenant-Governor, James B. Allen, is temporarily retiring from public office to devote his full time to his chosen profession, the practice of law; and

WHEREAS Mr. Allen has most ably and unselfishly served this State in many positions of importance, having been first elected to membership in the House of Representatives from Etowah County for the years 1939-1943 and again for the term 1943-1945, resigning in the middle of his second term to enter the United States Naval Reserve as an ensign, and serving until 1946 when he was discharged as a Lieutenant, junior grade. He served in the State Senate, representing Etowah and St. Clair Counties for the term 1947-1951, was elected Lieutenant-Governor for the term 1951-1955, and again for the term beginning 1963; and

WHEREAS Mr. Allen has been personally helpful to the individual members of this legislature and his sound judgment, calm reasoning and skillful direction has steered this body through many rough seas and onto a straight and purposeful course; and

WHEREAS we shall individually and collectively miss this great leader whom we have long admired and respected and have been proud to call our friend throughout many years of close association; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama is deeply indebted to Lieutenant-Governor Allen for his many years of untiring and selfless devotion in its service, that the members of this body are indeed grateful for his cherished friendship, and wish for him long and continued success in every endeavor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwyn:

S. J. R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the following be adopted as the Joint Rules of the two Houses of the Legislature of Alabama for the ensuing quadrennium.

JOINT RULES OF THE TWO HOUSES OF THE
LEGISLATURE OF ALABAMA

1967

1. Messages from one house to the other shall take precedence over all other questions.
2. When House or Senate bills are signed by the presiding officer of the House or Senate, the Clerk or Secretary, as the case may be, shall notify the other house and request the signature of the presiding officer to the same, and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate, as prescribed by the Constitution.
3. No local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits one original and two exact copies of proof thereof with the bills.
4. All bills for amendment to any section or part of the Code by reference to the section or other subdivision of the Code must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or subsection relates.
5. The Secretary or the Clerk, as the case may be, shall, when a bill is duly enrolled and signed by the presiding officers of both houses, deliver the bill to the Governor, noting thereon the day and hour and minute of delivery, and he shall make a written report to the house where the bill originated showing the number and title of the bill and time of delivery, which shall be spread upon the Journal.
6. All legislative documents, reports, or other papers which may be ordered printed by either house shall be printed in octavo form, 23 ems measure in width, in 10 point type, with one lead only, saddle stitched or wired on the side, and the title page shall have a heading in substantially the following form:

IN THE LEGISLATURE OF THE STATE OF ALABAMA

1967

Legislative Document No. _____

(or Calendar No. _____, for that publication, with the name of the particular house.)

7. Bills or resolutions ordered printed by either house, or by any committee or the chairman thereof under the rules of the respective houses shall be given a printed bill number in the order received by the printer, in addition to the Senate or House number, be saddle stitched or wired on the left side, and the heading of each shall be substantially as follows:

| | |
|----------|-------------------|
| Printed | Senate (or House) |
| No. | No. |

IN THE LEGISLATURE OF THE STATE OF ALABAMA

1967

Jan. (or other date) Senate (or House) Bill (or resolution) No., introduced by Mr. of (County).

Read 1 time and referred to committee on (or such other action, showing status at date printed).

Jan. (or other date) copies ordered printed by the Senate (or House).

8. The printer shall print two hundred and fifty copies of each legislative document for the use of the Department of Archives and History, unless otherwise ordered by the Director.

9. The privileges of the floor of both houses are accorded the Directors and employees of the Department of Archives and History and the Legislative Reference Service in aid of the reference work required by law to be done by the Service for members of the Legislature.

10. The presiding officer of the Senate shall preside when the two Houses meet in joint sessions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Pennington, McLain, Jones, Snodgrass and Laxson.

H. J. R. 8. WHEREAS, Robert Kirk (Buster) Bell passed away on December 31, 1966, after a long and distinguished career as a practicing attorney, businessman, civic and political leader, both in his adopted County of Madison and throughout the State of Alabama; and,

WHEREAS, Mr. Bell was formerly President of the Madison County Bar Association, the Alabama Junior Bar Association, the Huntsville Industrial Expansion Committee, the Huntsville-Madison County Chamber of Commerce, the Alabama Wildlife Federation, and was a past State Commander of the Veterans of Foreign Wars, and served as State Bar Commissioner from the Twenty-third Judicial Circuit; and,

WHEREAS, Mr. Bell was formerly a member of the Alabama National Guard from which he retired as a Lieutenant Colonel, and formerly an Assistant Staff Judge Advocate during World War II, having been awarded the Bronze Star medal with Oak Leaf Cluster and Meritorious Commendation Medal; and,

WHEREAS, Mr. Bell was formerly a member of the Alabama Democratic Executive Committee and a former candidate for governor of Alabama, and a member of numerous business, professional, civic, fraternal and honorary organizations, and,

WHEREAS, Mr. Bell had traveled throughout the world and wherever he had gone had been an effective and dedicated spokesman for the State of Alabama, and through his warm and friendly manner had won many friends for the State of Alabama and himself throughout our country and the world; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we mourn the death of a great Alabamian, Robert K. Bell, and extend our sincere sympathy to his family and many friends.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the surviving members of the family of the deceased.

On motion of Mr. Pennington the rules were suspended and H. J. R. 8 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 10. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a joint session of the House and Senate be held at 2:30 P. M. o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the Joint Session.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Giles and Clark.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 10 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 5. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama, and inform him of the organization of the Legislature of Alabama, and its readiness to transact business.

BE IT FURTHER RESOLVED that said committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does so desire to address a joint session then to further ascertain the time most suitable to him for such address.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Stone and Adams.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 5 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RECONSIDERATION OF S. J. R. 2

The motion of Mr. Mathews to reconsider the vote by which the resolution, S. J. R. 2 was adopted, was adopted.

And the resolution, S. J. R. 2 heretofore set out, was again taken up.

Mr. Mathews offered the following amendment to the resolution, S. J. R. 2:

Amend said resolution by adding in paragraph 2 line 4 following the words "Speaker of the House" the words "and Speaker Pro-Tem".

And the amendment was adopted.

And the resolution, S. J. R. 2, as amended, was adopted.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned until Wednesday, January 11, 1967, at ten o'clock A. M.

SECOND DAY

House of Representatives

Montgomery, Alabama

Wednesday, January 11, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Jackson (F) | Pennington |
| Adwell | Dill | Jackson (T) | Pruitt |
| Agee | Dobbs | Jones | Sessions |
| Bank | Downing | Kilgore | Shumate |
| Bassett | Edington | Laxson | Slate |
| Beck | Ellis | Lemley | Smith (P) |
| Berryman (R) | Fine | Lybrand | Snodgrass |
| Berryman (W) | Garrett | Malone | Springer |
| Blanton | Gloor | Manley | Starnes |
| Bowers | Graham | McCorquodale | Steagall |
| Brannan | Grayson | McDonald | Stembridge |
| Brassell | Hain | McElhaney | Stubbs |
| Brown | Hardin | McLain | Thomas |
| Burgess | Harper | Meade | Tuck |
| Burgreen | Harris | Meeks | Turnham |
| Cameron | Haygood | Melton | Waggoner |
| Cherner | Headley | Merrill | Watkins |
| Collier | Higginbotham | Money | Weeks |
| Collins (C) | Hill | Neville | Williams |
| Collins (W) | Hobbie | Owen (Baldwin) | Wood |
| Cook (Coffee) | Hogan | Owens (W) | Wright |
| Cook (Jefferson) | Holladay | Owens (W.E.) | Yeilding |
| Crane | Holman | Paulk | Young |
| Crawford | House | Pearson | |

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 12. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Clerk of the House, and the Secretary of the Senate are each authorized to employ from time to time, as needed to implement the work of the Legislature, not more than ten (10) stenographers whose compensation, not to exceed sixteen dollars a day, shall be paid out of any funds appropriated for payment of legislative expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McCarley:

S. J. R. 11. RESOLVED by the Senate, the House concurring, that each member of the Legislature and the Lieutenant Governor shall be allowed and entitled to Twenty Dollars per day for expense in addition to that now allowed for expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the rules were suspended and the House concurred in and adopted the S. J. R. 11 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwyn, Pierce, Torbert and Folsom:

S. J. R. 6. WHEREAS Ben S. Gilmer, native of Montgomery, Alabama, is the first Southerner to be elected president of the American Telephone and Telegraph Company, this country's largest industrial corporation and the world's largest company in assets; and

WHEREAS Mr. Gilmer, who is the son of Josephine Screws Gilmer and the late Merriwether Nicholas Gilmer, families long prominent in the history and development of Alabama, has many relatives and hosts of friends in this State with whom he maintains close and affectionate ties. He was reared in Montgomery and educated in the public schools of this city, was graduated with a bachelor of science degree in electrical engineering from Auburn University and was later awarded an honorary doctor of science degree by that institution; and

WHEREAS Mr. Gilmer has been associated with the Bell Telephone System and its parent organization, The American Telephone and Telegraph System, in various capacities for over thirty years and is highly knowledgeable in every phase of company activities. He began his career as an installer of telephones, was shortly thereafter transferred to Atlanta for the company's general introductory training course and served in successively responsible positions in its general commercial department until he volunteered for service in World War II; and

WHEREAS Mr. Gilmer served with distinction in the United States Army Air Force for more than three years, was assistant chief of staff for the Third Fighter Command, and at the time he was released from active duty held the rank of Lieutenant-colonel; and

WHEREAS Mr. Gilmer rejoined Southern Bell upon completion of his active duty with the Air Force and subsequently became assistant vice president of the company. His later assignments included that of Louisiana manager, general commercial manager of a nine state area, vice president and general manager of Northwestern Bell, president of Southern Bell, and executive vice president of American Telephone and Telegraph; and

WHEREAS Mr. Gilmer's wide interests and activities are evidenced by his affiliation with numerous corporations and institutions. He is a director of Merck and Company, the First National Bank of Atlanta, Rich's Incorporated, U. S. Pipe and Foundry, and Hanover Trust Company. He is a past national president of the Auburn Alumni Association, is presently chairman of the board of trustees of the Auburn University Foundation, is a trustee of Agnes Scott College, trustee of the Atlanta Art Alliance, trustee of the John Bulow Campbell Foundation, in addition to being associated with numerous other civic organizations and endeavors; and

WHEREAS Alabama is indeed proud of her native son who has won this important position for himself through his integrity, ability and hard work. The utilization of the full extent of his many capabilities, his purposeful diligence and his ever present sense of values in all his dealings will serve as an inspiration to young people everywhere; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Gilmer upon his being named president of the American Telephone and Telegraph Company; we assure him of our pride in his accomplishments and commend the company upon its obtaining the services of such an able and dedicated helmsman.

RESOLVED FURTHER that we invite Mr. Gilmer to address the Legislature of Alabama in joint assembly at such time as may suit his convenience.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 6 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 14. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the two Houses meet in joint convention in the Hall of the House of Representatives at 11:30 A. M., January 11, 1967, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 8, 1966, as required by Section 115 of the Constitution of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 14 set out in the above and foregoing Message from the Senate.

COMMITTEE APPOINTED

The Speaker appointed Messrs. Crawford, Brassell and McDonald to escort His Excellency, George C. Wallace, Governor of the State of Alabama to a Joint Session in the Hall of the House of Representatives for the purpose of hearing an address by Mr. Ben S. Gilmer, president of the American Telephone and Telegraph Company.

JOINT SESSION

The hour of 11:00 o'clock A. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 7 heretofore adopted for the purpose of hearing an address by Mr. Ben S. Gilmer, President of the American Telephone and Telegraph Company.

The joint session was called to order by Honorable James B. Allen, Lieutenant Governor and Presiding Officer of the Senate, who directed the Secretary of the Senate to call the roll of the Senate, when the following members answered to their names:

| | | | |
|---------|----------|-----------|----------|
| Adams | Cooper | Jackson | O'Bannon |
| Albea | Dominick | Lindsey | Oden |
| Branyon | Engel | Lolley | Stone |
| Carr | Folsom | McCarley | Torbert |
| Childs | Giles | McDermott | Turner |
| Clark | Gilmore | Nabors | Vacca |

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A quorum was present.

The Speaker of the House then directed the Clerk of the House to call the roll of the House of Representatives, when the following members of the House answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jones | Perloff |
| Adwell | Drake | Kilgore | Pruitt |
| Agee | Edington | Laxson | Sessions |
| Bank | Ellis | Lemley | Shumate |
| Bassett | Fine | Lybrand | Slate |
| Beck | Foshee | Malone | Smith (C) |
| Berryman (R) | Gafford | Manley | Smith (P) |
| Berryman (W) | Garrett | Marr | Snell |
| Blanton | Gloor | Mathews | Snodgrass |
| Bowers | Graham | Mays | Springer |
| Brannan | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgess | Hardin | McElhaney | Stembridge |
| Burgreen | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Thomas |
| Cherner | Haygood | Meeks | Tuck |
| Collier | Headley | Melton | Turnham |
| Collins (C) | Higginbotham | Merrill | Waggoner |
| Collins (W) | Hill | Money | Watkins |
| Cook (Coffee) | Hobbie | Neville | Weeks |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Williams |
| Crane | Holman | Owens (W) | Wood |
| Crawford | House | Owens (W.E.) | Wright |
| Culver | Jackson (F) | Paulk | Yeilding |
| Dill | Jackson (T) | Pennington | Young |
| Dobbs | | | |

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A quorum was present.

Mr. Gilmer was escorted to the Chair and was introduced by the Honorable George C. Wallace, Governor of the State of Alabama. Thereupon, Mr. Gilmer delivered in person an address.

At the conclusion of the address by Honorable Ben S. Gilmer, the hour of 11:30 A. M. having arrived, and in accordance with Senate Joint Resolution No. 14 heretofore adopted,

The Lieutenant Governor and President of the Senate then announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the joint session was to open the returns of, count, ascertain and proclaim the results of the election held on the first Tuesday after the first Monday in November, 1966, being the 8th day of November, 1966, for constitutional officers of the State of Alabama.

The Speaker of the House of Representatives then proceeded to open and publish in the presence of the Legislature of Alabama and in the presence of a majority of the members of the Legislature of Alabama in joint session assembled, the returns of the election held on the first

Tuesday after the first Monday in November, 1966, being the 8th day of November, 1966, for constitutional officers of the State of Alabama, to-wit: For Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, State Superintendent of Education and Commissioner of Agriculture and Industries.

RESULTS OF ELECTION

The Speaker of the House proclaimed the results of the election as follows:

| COUNTIES | For Governor | | | | For Attorney General | |
|--------------------|------------------------|------------|-------------------|--|----------------------|-------------------|
| | Mrs. George C. Wallace | Jim Martin | Carl Ray Robinson | For Lieutenant Governor Albert Brewer | MacDonald Gallion | Donald L. Collins |
| 1 Autauga | 4,664 | 1,660 | 257 | 4,537 | 5,034 | 970 |
| 2 Baldwin | 10,601 | 3,712 | 304 | 10,540 | 10,665 | 3,320 |
| 3 Barbour | 5,925 | 649 | 116 | 5,006 | 5,266 | 458 |
| 4 Bibb | 3,534 | 790 | 150 | 3,276 | 3,637 | 548 |
| 5 Blount | 4,974 | 3,398 | 190 | 4,951 | 5,225 | 2,433 |
| 6 Bullock | 2,204 | 1,012 | 100 | 1,862 | 2,069 | 285 |
| 7 Butler | 5,131 | 1,259 | 299 | 4,947 | 5,028 | 1,113 |
| 8 Calhoun | 13,621 | 5,908 | 1,933 | 13,537 | 15,194 | 4,079 |
| 9 Chambers | 6,237 | 2,321 | 97 | 5,602 | 6,224 | 1,575 |
| 10 Cherokee | 3,442 | 749 | 83 | 3,020 | 3,119 | 523 |
| 11 Chilton | 5,051 | 2,949 | 167 | 4,742 | 4,846 | 2,674 |
| 12 Choctaw | 4,064 | 1,638 | 69 | 3,242 | 3,417 | 538 |
| 13 Clarke | 5,484 | 976 | 240 | 4,242 | 5,048 | 675 |
| 14 Clay | 3,226 | 1,467 | 71 | 2,975 | 3,233 | 1,028 |
| 15 Cleburne | 2,907 | 919 | 33 | 2,217 | 2,481 | 709 |
| 16 Coffee | 6,468 | 1,066 | 183 | 5,809 | 6,292 | 737 |
| 17 Colbert | 9,457 | 4,097 | 715 | 8,971 | 8,880 | 3,313 |
| 18 Conecuh | 3,719 | 686 | 68 | 3,596 | 3,670 | 481 |
| 19 Coosa | 2,117 | 805 | 306 | 2,171 | 2,409 | 594 |
| 20 Covington | 9,601 | 1,980 | 272 | 8,541 | 9,225 | 1,573 |
| 21 Crenshaw | 3,953 | 778 | 81 | 3,345 | 3,887 | 475 |
| 22 Cullman | 7,981 | 7,438 | 443 | 9,439 | 9,019 | 6,231 |
| 23 Dale | 6,007 | 1,125 | 131 | 4,908 | 5,577 | 753 |
| 24 Dallas | 11,388 | 2,326 | 1,531 | 12,517 | 11,713 | 1,929 |
| 25 DeKalb | 8,091 | 6,777 | 185 | 8,135 | 7,936 | 6,309 |
| 26 Elmore | 7,301 | 1,963 | 319 | 6,238 | 7,220 | 1,457 |
| 27 Escambia | 7,307 | 1,523 | 282 | 6,153 | 6,796 | 1,286 |
| 28 Etowah | 13,849 | 9,549 | 1,580 | 16,630 | 15,667 | 8,324 |

| COUNTIES | For State Auditor | | | For State Treasurer | | | |
|---------------------|-------------------|--------------|--------------------------------------|---------------------|---------------|---|--|
| | Melba Till Allen | Alice Hudson | For Secretary of State Mabel Amos | Mrs. Agnes Baggett | Jack Callaway | For Superintendent of Education Ernest Stone | For Commissioner of Agriculture and Industries Richard (Dick) Beard |
| 1 Autauga | 4,637 | 801 | 4,364 | 4,450 | 1,434 | 4,431 | 4,404 |
| 2 Baldwin | 10,169 | 3,313 | 10,185 | 10,258 | 3,837 | 10,483 | 10,449 |
| 3 Barbour | 4,645 | 1,029 | 4,788 | 5,257 | 537 | 4,787 | 4,780 |
| 4 Bibb | 3,351 | 503 | 3,093 | 3,368 | 696 | 3,156 | 3,130 |
| 5 Blount | 4,704 | 2,717 | 4,854 | 4,905 | 2,790 | 5,158 | 5,102 |
| 6 Bullock | 1,898 | 257 | 1,799 | 1,958 | 384 | 1,867 | 1,840 |
| 7 Butler | 5,541 | 621 | 4,723 | 4,728 | 1,410 | 4,773 | 4,763 |
| 8 Calhoun | 13,664 | 3,673 | 12,735 | 14,280 | 4,282 | 14,313 | 13,046 |
| 9 Chambers | 5,760 | 1,369 | 5,552 | 6,219 | 1,514 | 5,557 | 5,676 |
| 10 Cherokee | 2,937 | 469 | 2,902 | 3,039 | 602 | 3,157 | 2,927 |
| 11 Chilton | 4,594 | 2,443 | 4,576 | 4,622 | 2,712 | 4,619 | 4,632 |
| 12 Choctaw | 3,367 | 304 | 3,156 | 3,709 | 488 | 3,205 | 3,202 |
| 13 Clarke | 4,694 | 637 | 3,999 | 4,951 | 785 | 4,033 | 4,012 |
| 14 Clay | 2,837 | 996 | 2,784 | 2,857 | 1,211 | 3,079 | 2,942 |
| 15 Cleburne | 2,126 | 640 | 2,093 | 2,372 | 725 | 2,183 | 2,087 |
| 16 Coffee | 5,795 | 730 | 5,528 | 5,815 | 1,054 | 5,584 | 5,485 |
| 17 Colbert | 9,082 | 2,453 | 8,669 | 9,426 | 2,861 | 8,656 | 8,788 |
| 18 Conecuh | 3,634 | 442 | 3,625 | 3,676 | 487 | 3,520 | 3,534 |
| 19 Coosa | 2,119 | 586 | 1,946 | 2,141 | 726 | 2,135 | 2,030 |
| 20 Covington | 8,489 | 1,334 | 7,920 | 8,503 | 2,116 | 8,122 | 7,926 |
| 21 Crenshaw | 3,512 | 443 | 3,251 | 3,399 | 795 | 3,274 | 3,272 |
| 22 Cullman | 8,878 | 6,020 | 9,278 | 9,033 | 6,125 | 9,557 | 9,507 |
| 23 Dale | 4,903 | 716 | 4,139 | 5,150 | 1,015 | 4,324 | 4,205 |
| 24 Dallas | 11,840 | 1,593 | 12,446 | 11,567 | 1,959 | 12,539 | 12,431 |
| 25 DeKalb | 7,784 | 6,177 | 7,911 | 7,850 | 6,376 | 8,487 | 8,129 |
| 26 Elmore | 6,456 | 1,285 | 5,859 | 6,261 | 2,170 | 6,033 | 6,009 |
| 27 Escambia | 6,397 | 955 | 6,023 | 6,614 | 1,153 | 5,987 | 5,924 |
| 28 Etowah | 16,278 | 6,633 | 16,526 | 16,135 | 7,365 | 17,119 | 16,909 |
| 29 Fayette | 2,817 | 1,068 | 2,760 | 3,028 | 1,147 | 2,843 | 2,804 |
| 30 Franklin | 4,428 | 3,035 | 4,455 | 4,633 | 3,129 | 4,685 | 4,624 |
| 31 Geneva | 5,596 | 551 | 5,063 | 5,836 | 679 | 5,148 | 5,007 |
| 32 Greene | 1,674 | 227 | 1,719 | 1,698 | 299 | 1,790 | 1,799 |
| 33 Hale | 2,731 | 411 | 2,606 | 2,834 | 570 | 2,722 | 2,724 |
| 34 Henry | 3,223 | 203 | 2,860 | 3,355 | 364 | 2,937 | 2,856 |
| 35 Houston | 10,165 | 1,395 | 9,048 | 10,721 | 1,610 | 9,013 | 8,874 |
| 36 Jackson | 5,237 | 1,096 | 5,265 | 5,545 | 1,282 | 5,567 | 5,352 |
| 37 Jefferson | 102,855 | 44,229 | 108,859 | 101,374 | 49,329 | 109,674 | 110,635 |
| 38 Lamar | 2,960 | 420 | 2,900 | 3,165 | 484 | 2,979 | 3,019 |
| 39 Lauderdale | 9,518 | 3,109 | 9,330 | 9,920 | 3,503 | 9,447 | 9,425 |
| 40 Lawrence | 4,657 | 939 | 4,538 | 4,768 | 1,049 | 4,478 | 4,579 |
| 41 Lee | 6,173 | 1,805 | 6,295 | 6,480 | 2,062 | 6,394 | 6,400 |

| COUNTIES | For State Auditor | | | For State Treasurer | | | |
|----------------------|-------------------|--------------|---------|---------------------|---------------|---|--|
| | Melba Till Allen | Alice Hudson | | Mrs. Agnes Baggett | Jack Callaway | For Superintendent of Education Ernest Stone | For Commissioner of Agriculture and Industries Richard (Dick) Beard |
| 42 Limestone | 5,670 | 852 | 5,777 | 5,819 | 999 | 5,897 | 5,809 |
| 43 Lowndes | 1,928 | 266 | 1,826 | 1,742 | 480 | 1,833 | 1,825 |
| 44 Macon | 4,411 | 507 | 4,299 | 4,673 | 595 | 5,306 | 4,246 |
| 45 Madison | 20,550 | 11,933 | 22,461 | 20,588 | 13,026 | 23,327 | 23,046 |
| 46 Marengo | 4,516 | 521 | 4,377 | 4,816 | 640 | 4,578 | 4,551 |
| 47 Marion | 3,979 | 1,777 | 3,914 | 4,288 | 1,940 | 4,209 | 4,063 |
| 48 Marshall | 8,031 | 2,952 | 7,976 | 8,106 | 3,478 | 8,427 | 8,105 |
| 49 Mobile | 46,179 | 12,460 | 45,240 | 47,104 | 14,445 | 46,683 | 46,110 |
| 50 Monroe | 4,914 | 429 | 4,585 | 5,068 | 508 | 4,539 | 4,544 |
| 51 Montgomery | 26,105 | 7,878 | 26,903 | 24,743 | 10,886 | 27,175 | 27,365 |
| 52 Morgan | 10,691 | 2,682 | 11,197 | 11,225 | 2,976 | 11,482 | 11,382 |
| 53 Perry | 3,228 | 444 | 3,001 | 2,951 | 542 | 3,196 | 3,140 |
| 54 Pickens | 3,249 | 458 | 3,061 | 3,494 | 597 | 3,259 | 3,157 |
| 55 Pike | 5,044 | 861 | 4,817 | 5,053 | 1,296 | 4,804 | 4,855 |
| 56 Randolph | 3,321 | 978 | 3,201 | 3,562 | 1,104 | 3,293 | 3,208 |
| 57 Russell | 4,979 | 804 | 4,992 | 5,168 | 899 | 5,009 | 4,936 |
| 58 Saint Clair | 4,917 | 2,220 | 5,017 | 5,031 | 2,436 | 5,273 | 5,273 |
| 59 Shelby | 6,110 | 2,343 | 6,218 | 6,089 | 2,701 | 6,382 | 6,386 |
| 60 Sumter | 2,283 | 309 | 2,339 | 2,315 | 390 | 2,466 | 2,461 |
| 61 Talladega | 10,869 | 2,761 | 11,036 | 11,274 | 3,002 | 11,851 | 11,559 |
| 62 Tallapoosa | 6,520 | 1,350 | 5,756 | 6,591 | 1,844 | 6,019 | 6,799 |
| 63 Tuscaloosa | 15,286 | 4,286 | 15,410 | 15,419 | 5,027 | 16,114 | 16,194 |
| 64 Walker | 10,565 | 3,900 | 10,505 | 10,613 | 4,324 | 11,064 | 11,090 |
| 65 Washington | 3,107 | 389 | 2,486 | 3,425 | 479 | 2,548 | 2,527 |
| 66 Wilcox | 2,620 | 419 | 2,694 | 2,785 | 505 | 2,797 | 2,771 |
| 67 Winston | 1,917 | 2,829 | 1,973 | 2,042 | 2,843 | 2,021 | 2,002 |
| | 553,714 | 174,235 | 551,483 | 559,884 | 201,078 | 567,367 | 562,643 |

FOR GOVERNOR

Mrs. George C. Wallace received
 Jim Martin received
 Carl Ray Robinson received

VOTES RECEIVED

537,505
 262,943
 47,653

FOR LIEUTENANT GOVERNOR

Albert Brewer received

564,473

FOR ATTORNEY GENERAL

MacDonald Gallion received
 Donald Collins received

570,329
 201,851

| | |
|---|---------|
| FOR STATE AUDITOR | |
| Melba Till Allen received | 550,794 |
| Alice Hudson received | 176,430 |
| FOR SECRETARY OF STATE | |
| Mabel Amos received | 551,711 |
| FOR STATE TREASURER | |
| Mrs. Agnes Baggett received | 559,884 |
| Jack Callaway received | 201,078 |
| FOR SUPERINTENDENT OF EDUCATION | |
| Ernest Stone received | 567,367 |
| FOR COMMISSIONER OF AGRICULTURE & INDUSTRIES | |
| Richard (Dick) Beard received | 562,643 |

WRITE IN VOTES FOR STATE OFFICES
GENERAL ELECTION—NOV. 8, 1966

| GOVERNOR | TOTAL VOTES |
|-------------------|-------------|
| Richmond Flowers | 5 |
| James E. Folsom | 1 |
| Carl Elliott | 2 |
| Almon Glenn | 1 |
| Al Goldthwaite | 1 |
| F. N. Nixon | 2 |
| Richard Flowers | 3 |
| Pat Davis | 1 |
| John D. Webster | 2 |
| J. J. Jones | 1 |
| James Bonner | 2 |
| Lt. Governor | |
| Charles Wood | 3 |
| George C. Wallace | 1 |
| Alfred Goathwaite | 1 |
| W. L. King | 1 |
| Ralph Jordan | 1 |
| Jim Martin | 2 |
| Albert Turner | 2 |
| Richard Flowers | 1 |
| Richmond Flowers | 3 |
| Pat J. Davis | 1 |
| Sec. of State | |
| Mrs. Joe Chander | 1 |
| Dot Cinders | 1 |
| Willie Martin | 1 |
| Albert Turner | 2 |
| State Treasurer | |
| Susan Warren | 1 |
| Spence | 1 |
| Betty Frink | 5 |
| Leona Langford | 1 |
| State Auditor | |
| Jim Martin | 1 |
| Isom Atkins | 1 |

| | |
|--|---|
| Attorney General | |
| Mary Texas Garner | 2 |
| Bull Connor | 1 |
| F. N. Nixon | 1 |
| Thomas Lawson | 1 |
| Obie Scott | 2 |
| Al Turner | 1 |
| Superintendent of Education | |
| A. M. Hayden | 1 |
| Don Bruce Richards | 2 |
| Dr. Charle Gaisser | 1 |
| Albert Turner | 1 |
| Austin R. Meadows | 1 |
| Vernon St. John | 1 |
| Betty Frink | 1 |
| Commissioner of Agriculture & Industries | |
| Bruce Henderson | 2 |
| Albert Turner | 3 |
| F. N. Nixon | 1 |
| Arthur Dees | 1 |

The Speaker of the House, Hon. Rankin Fite, then declared that Hon. Lurleen B. Wallace, Hon. Albert P. Brewer, Hon. MacDonald Gallion, Hon. Melba Till Allen, Hon. Mabel Amos, Hon. Agnes Baggett, Hon. Ernest Stone and Hon. Richard Beard were duly and constitutionally elected to the office of Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, State Superintendent of Education and Commissioner of Agriculture and Industries, respectively, for the term prescribed by law.

The purpose of the joint session having been accomplished the Senate retired to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Morrow, Hawkins, Gilmore, Childs, Dominick, Vacca and Bailes:

S. J. R. 3. Providing for an interim committee to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be created and established a joint interim committee consisting of three members of the House of Representatives appointed by the Speaker thereof and three members of the Senate appointed by the President of the Senate, to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders in the State of Alabama, and to survey the laws and practices of other states relating to the control of abnormal sexual behavior. The committee shall appoint an advisory board consisting of not more than 15 members, including psychiatrists, criminologists, penologists, physicians, law enforcement

officers, and such other persons having special knowledge and skills in the subject matter field, to aid and assist them in the performance of their duties. Neither the members of the committee nor the members of its advisory board shall receive any compensation for their services. The members of the committee shall elect a chairman and a vice chairman from among their own number and may provide for employment of professional assistants and consultants and for payment of their compensation. Expenses incurred by the committee in carrying out its powers and duties hereunder shall be paid from funds appropriated to the use of the Legislature on requisitions signed by the committee chairman.

RESOLVED FURTHER, That the committee shall prepare a report of their findings, conclusions, and recommendations with respect to the need for additional state legislation to control abnormal or deviate sexual conduct and to punish deviate sexual offenders. The committee's report shall be filed in each house not later than the tenth legislative day of the 1967 Regular Session or before at the option of the committee, and the committee shall thereupon be discharged.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bowers the rules were suspended and the House concurred in and adopted the S. J. R. 3 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a committee on the part of the House Messrs. Bowers, Cook (Jefferson) and Jackson (Jefferson).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Adams:

S. J. R. 13. WHEREAS Alabama's soon-to-be-inaugurated Governor, the Honorable Lurleen Wallace, has recently been reported in a Gallup Poll to be the sixth most admired woman in the world; and

WHEREAS Alabamians have long been aware of this gracious lady's personal charm and abilities, and have known that behind her smiling appearances at her husband's side, was a person of substance, with character and intellect to see what needed to be done and to do it; and

WHEREAS the findings of this nation-wide poll that our First Lady, our First Lady in her own right, is held in almost as high esteem throughout the country as she is by the people of this State, is a fact which is indeed gratifying and one which brings much credit to Alabama; and

WHEREAS Mrs. Wallace is the first lady Governor of Alabama and only the third woman in this country ever to be so elected, she won her election by the largest number of votes ever cast in the history of this State, leaving no doubt as to her place in the hearts and minds of her constituents; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Governor Lurleen Wallace on the signal honor which she has won in being named the "Sixth Most Admired Woman in the World," we take much

pride in such designation which reflects credit to our State, and assure her of our confidence in her and her administration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 13 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 4. Authorizing the Lieutenant Governor and the Speaker of the House to employ full time secretaries.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 7. Inviting Mr. Ben S. Gilmer to address a joint session of the Legislature.

Also:

S. J. R. 11. Allowing for each member of the Legislature and the Lieutenant Governor twenty dollars per day for expense in addition to that now allowed.

Also:

S. J. R. 12. Authorizing the Clerk of the House and the Secretary of the Senate to employ as needed ten stenographers.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 8. Mourning the death of Honorable Robert Kirk (Buster) Bell of Madison County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 2. Creating an interim committee on Finance and Taxation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwyn:

S. J. R. 15. WHEREAS this body is determined to do all in its power to speed up the legislative process and dispose of legislative business as rapidly as circumstances will permit; and

WHEREAS the most expeditious way of doing this is to meet as many days as possible each week; now therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That it is the intention of the Legislature while in session to meet on at least three days every week and four days when that is possible.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:50 P. M. On January 11, 1967

H. J. R. 4

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned until Tuesday, January 17, 1967, at ten o'clock A. M.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, January 17, 1967

(The House was not in session on the third, fourth, fifth, sixth and seventh days.)

PRAYER

The session was opened with prayer by Reverend W. H. Swearingen, Chairman, State Board of Pardon and Parole, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jones | Perloff |
| Adwell | Doss | Kilgore | Pruitt |
| Agee | Downing | Laxson | Sessions |
| Bank | Drake | Lemley | Shumate |
| Bassett | Ellis | Lybrand | Slate |
| Beck | Fine | Malone | Smith (C) |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Berryman (W) | Gafford | Marr | Snell |
| Blanton | Garrett | Mathews | Snodgrass |
| Bolton | Gloor | Mays | Springer |
| Bowers | Graham | McCorquodale | Starnes |
| Brannan | Grayson | McDonald | Steagall |
| Brassell | Hain | McElhaney | Stembridge |
| Brown | Hardin | McLain | Stubbs |
| Burgess | Harper | Meade | Thomas |
| Cameron | Harris | Meeks | Tuck |
| Cherner | Haygood | Melton | Turnham |
| Collier | Headley | Merrill | Waggoner |
| Collins (C) | Higginbotham | Money | Watkins |
| Collins (W) | Hill | Neville | Weeks |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Owens (W) | Wood |
| Crane | Holman | Owens (W.E.) | Wright |
| Crawford | House | Paulk | Yeilding |
| Culver | Jackson (F) | Pearson | Young |
| Dill | Jackson (T) | Pennington | |

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 9. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Joint Session of the House and Senate be held at 11:00 o'clock today for the purpose of hearing the message of the Honorable Lurleen Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Merrill the rules were suspended and H. J. R. 9 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Mathews, Pruitt and Merrill.

Also:

By Mr. Merrill:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn sine die.

On motion of Mr. Merrill the rules were suspended and H. J. R. 10 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 8. Mourning the death of the Honorable Robert Kirk (Buster) Bell.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 2. Creating a Joint Interim Committee on Finance and Taxation.

Also:

S. J. R. 8. Adopting the Joint Rules of the two Houses of the Legislature.

Also:

S. J. R. 9. Expressing gratitude to Lieutenant Governor James B. Allen for his friendship, leadership, and devotion in service to the State of Alabama.

Also:

S. J. R. 4. Relating to sine die adjournment.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Blanton and Hain:

H. J. R. 11. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby laments the death of a distinguished former member of each House, hereof, The Honorable John Whitfield Lapsley, who represented Dallas County in the House of Representatives from 1915-1923 and served as the Senator from the Thirtieth Senatorial District from 1931-1935. Mr. Lapsley was an able lawyer, a civic, political and religious leader, known and honored not only in Dallas County but throughout Alabama. Mr. Lapsley gave unstintingly of his time and his talents for the betterment of his profession, his community and his state. Among the many services he rendered are the following. He was an active member of the Dallas County Bar Association, having served as its president, and also of the Alabama Bar and of the American Bar Association. He was widely regarded as an expert on taxation and took a particularly active part in the work of the Tax Committee of the American Bar Association. He served as legal counsel to the State Department of Revenue and as the Tax Counsel for the State of Alabama during the administration of Governor Frank M. Dixon. He worked diligently for the betterment of Dallas County and its environs as a member of the Selma and Dallas County Chamber of Commerce, The Coosa-River Development Association, The Kiwanis Club, and many

other civic improvement groups. He was a trustee and elder of the First Presbyterian Church of Selma. He took a lively interest in cultural pursuits, was particularly interested in preserving the history of this State, and aided notably in the establishment and served as a trustee of the Sturdivant Museum Association, which has restored and maintains as a shrine, open to the public, a magnificent ante-bellum home in Selma.

BE IT FURTHER RESOLVED That the Legislature acknowledges with grateful appreciation the many services rendered to the State of Alabama by Mr. Lapsley and extends heartfelt sympathy to Mrs. Lapsley and the other surviving members of Mr. Lapsley's family.

On motion of Mr. Blanton the rules were suspended and H. J. R. 11 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 17. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 11 o'clock today for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and a committee of three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Adams and O'Bannon.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 17 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 16. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a Committee of two members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to ascertain from Her Excellency, Governor

Lurleen B. Wallace, if she desires to address a joint session of the Legislature and if she does desire to address a joint session, to further ascertain the time most suitable to her for such address.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Adams and O'Bannon.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 16 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 18. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be created and established a joint interim committee composed of two members of the Senate appointed by the President of the Senate and three members of the House appointed by the Speaker. The committee shall make such inquiries and conduct surveys and studies as may be necessary to determine the need for and the feasibility of establishing in Alabama a school or college of optometry to be operated in connection with an existing state college or university.

The members of the committee shall elect a chairman and vice chairman from among their number. The committee shall meet on call of the chairman, at such times and places as he may designate. The committee members shall not be entitled to pay or expenses for performance of their duties. The Secretary of the Senate and Clerk of the House shall provide the committee with such secretarial and clerical help as may be required by the committee.

The committee shall make a report of their findings, conclusions and recommendations to each house of the Legislature not later than the 5th legislative day of the 1967 regular session, and thereupon the committee shall be discharged and dissolved.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 18 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 10. Relative to sine die adjournment of the Legislature.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Goodwyn and Pierce:

S. J. R. 19. WHEREAS, on Sunday, February 26, 1967, the Montgomery Fourth Degree Assembly of the Knights of Columbus will hold its first exemplification; and

WHEREAS, Monsignor Malcolm J. Rafferty, Pastor of St. Andrew's Church in Montgomery will be honored at the testimonial banquet to be held on that occasion; and

WHEREAS, these events mark an auspicious milestone for both the Montgomery Fourth Degree Assembly and for Monsignor Rafferty, who has devoted many years of untiring effort to civic and youth projects not only in Montgomery, but also in Mobile, Birmingham and Huntsville; he is presently serving on the Mayor's Parks and Recreation Board in Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Montgomery Fourth Degree Assembly of the Knights of Columbus and Monsignor Malcolm J. Rafferty be commended on their accomplishments and these forthcoming events.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Montgomery Assembly and to Monsignor Rafferty.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the rules were suspended and the House concurred in and adopted the S. J. R. 19 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Owen:

H. J. R. 12. WHEREAS the City of Montgomery and its people have again extended their accustomed Southern hospitality and generosity of spirit upon the occasion of the inauguration of Alabama's Governor Lurleen B. Wallace as to add much cordiality and personal warmth to this most auspicious and historic date; and

WHEREAS members of the city police force, state troopers and national guardsmen handled vehicular and pedestrian traffic with court-
eous efficiency along the lengthy parade route and throughout this city to which more than an additional hundred thousand people were assembled; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank the people of Montgomery for the many courtesies and warm hospitality which were extended to the visitors to the Capital City and commend the city

police force, state troopers and national guardsmen for the efficient manner in which they performed their services.

On motion of Mr. Owen the rules were suspended and H. J. R. 12 was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Meeks, Brown, Thomas, Culver, Bank and Watkins:

H. J. R. 13. WHEREAS the University of Alabama football team is the only major football team in the country with an unbeaten and untied record for the 1966 regular season, which record was climaxed by Alabama's glorious victory over Nebraska in the Sugar Bowl by the decisive score of 34 to 7; and

WHEREAS the Southeastern Conference is the strongest football conference in the nation which is evidenced by the great number of teams in the conference invited to play in post season games, most of which were won by member teams in this conference; and

WHEREAS the Crimson Tide was victorious over every team in this conference with which a game was scheduled as well as over other teams it played, while the teams rated No. 1 and No. 2 playing in weaker conferences could do no better than tie each other; and

WHEREAS Coach Paul "Bear" Bryant's superbly coached and talented players executed their plays and maneuvered the ball with such skill and finesse as to bring great pleasure to all lovers of this sport, and particularly to Alabamians; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the University of Alabama football team is, and by all rights ought to be, the No. 1 Football Team in this country and Coach Bryant is the No. 1 Coach.

BE IT FURTHER RESOLVED That we congratulate Coach Bryant and each member of the team on the superb performance and high degree of sportsmanship displayed in their outstanding victory in the Sugar Bowl which reflects great credit and honor to the State of Alabama and its people.

On motion of Mr. Meeks the rules were suspended and H. J. R. 13 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 9. Relative to a joint session of the Legislature to hear the message of the Honorable Lurleen Wallace, Governor of Alabama.

Also:

H. J. R. 12. Expressing the appreciation of the Legislature to the people of Montgomery for their warm hospitality during the inaugural festivities.

Also:

H. J. R. 13. Declaring the University of Alabama football team the No. 1 team in the country, and Coach Bryant the No. 1 coach.

McDOWELL LEE,
Secretary.

JOINT SESSION

The hour of 11:00 o'clock A. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 9 heretofore adopted, for the purpose of hearing an address by Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama.

The joint session was called to order by Hon. Albert P. Brewer, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered in person the following message:

Lieutenant Governor Brewer, Mr. Speaker, members of the Alabama Legislature:

I deeply appreciate the courtesy of your invitation to address the Alabama Legislature.

I welcome the opportunity it provides me to personally congratulate each of you on your election or re-election, as the case may be.

Alabama stands at the threshold of its greatest era of development.

A foundation has been laid for an educational system equal to the best in the nation and more importantly our people are awakened to the advantages of these opportunities and are aware of the relationship between education and economic progress. I believe they are determined that we, as their servants, shall continue to move Alabama forward in the field of education.

In addition, the state is on a chartered course to achieve even greater industrial development and even greater progress in all areas of our economy.

Employment is at an all time high; tourism, banking and the insurance industries of Alabama are all in a stage of unprecedented growth and expansion. The state docks, our rivers and inland waterways, our forest products and seafood industries, all these are pushing through old barriers and reaching for new heights.

The healthful condition of our economy and the prospect for continued progress leads us to look forward with confidence to increased state revenues from which we can provide better health services and more adequate care for the aged, sick, mentally ill, blind, handicapped and tubercular patients.

I want to thank you for the interest so many of you have expressed to me in continuing and expanding these programs. I look forward with great pleasure to working with you in this common cause during the coming four years.

You have been provided with a copy of the REPORT ON THE CONDITION OF THE STATE, as promised by my husband in his last address to the Legislature. In this connection, may I call your attention to the specific recommendations in that report. I am fully familiar with them and concur in and endorse them.

We shall do all that we can to see that they are appropriately implemented.

We will face many serious problems, but I know that by working together in a spirit of good will and mutual understanding we can solve them in a manner to serve the best interest of all of the people.

In this connection, I extend to you the facilities of my office, and I assure you that my cabinet and every department of the Executive Branch of government will work with you in full cooperation.

I want to turn now to a problem of immediate concern.

In furtherance of our objective of continued economic progress and in the interest of public safety, we must begin our administration by facing and solving a problem of extraordinary importance in connection with our highway system and program.

In order that we may continue to push forward with the greatest highway program in the history of our State, and avoid the loss of millions of dollars of our own tax funds in the hands of federal government, it is essential that the Alabama Highway Authority be authorized to issue additional revenue bonds.

You may have read just the other day that the Governor of a large eastern state is asking authority for a bond issue in the amount of two billion dollars to meet a crisis in urban transportation.

We cannot help but believe that by realistically facing up to our own transportation problems today, we will assure continued economic growth, and also save ourselves countless headaches and countless millions of dollars in the future, stemming from a present failure to act.

With this object in view, and pursuant to the authority vested in me by the Alabama Constitution, I shall issue in the very near future a proclamation calling for an extraordinary session for the purpose of authorizing the Alabama Highway Authority to issue revenue bonds for the purposes just mentioned.

The proclamation will authorize the Alabama Legislature to consider local legislation and other legislation pertaining to the highway program. I mention this now in order that you may start necessary advertising of local bills.

I look forward with pleasure to this occasion, and by your permission, will be pleased to address the Legislature at that time and describe more fully the details of our proposal and the compelling reasons underlying them.

Again, thank you for the courtesy of your invitation.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 11. Mourning the death of the Honorable John Whitfield Lapsley, of Dallas County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 20. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that Senate Joint Resolution 11, heretofore adopted by the Legislature, is now rescinded, and

BE IT FURTHER RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that each member of the Legislature and the Lieutenant Governor shall be allowed and entitled to Ten Dollars per day for expense in addition to that now allowed for expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Merrill moved to suspend the rules, concur in and adopt the resolution, S. J. R. 20, set out in the above and foregoing Message from the Senate.

Mr. Turnham called for a division of the question.

Mr. Merrill then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing S. J. R. 20, and said motion was lost.

Yeas 22; Nays 63.

Yeas:

| | | | |
|-------------|-------------|---------|----------------|
| Mr. Speaker | Dill | Jones | Owen (Baldwin) |
| Adwell | Drake | Malone | Pennington |
| Bassett | Foshee | Mathews | Pruitt |
| Beck | Hain | Meeks | Steagall |
| Blanton | Hardin | Merrill | Stembridge |
| Bowers | Jackson (F) | | |

—22

Nays:

| | | | |
|--------------|---------|------------------|---------|
| Messrs.: | Bolton | Cook (Coffee) | Doss |
| Agee | Brown | Cook (Jefferson) | Downing |
| Bank | Burgess | Crane | Ellis |
| Berryman (R) | Cherner | Culver | Garrett |
| Berryman (W) | Collier | Dobbs | Gloor |

| | | | |
|--------------|--------------|--------------|-----------|
| Graham | Lemley | Neville | Snell |
| Grayson | Lybrand | Owens (W) | Snodgrass |
| Harper | Manley | Owens (W.E.) | Springer |
| Haygood | Marr | Paulk | Starnes |
| Headley | McCorquodale | Pearson | Stubbs |
| Higginbotham | McDonald | Perloff | Turnham |
| Hill | McElhaney | Sessions | Watkins |
| Hogan | McLain | Shumate | Weeks |
| Holman | Meade | Slate | Wood |
| House | Melton | Smith (C) | Wright |
| Jackson (T) | Money | Smith (P) | Young |

—63

And the S. J. R. 20 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Cooper:

S. J. R. 20. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that Senate Joint Resolution 11, heretofore adopted by the Legislature, is now rescinded, and

BE IT FURTHER RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that each member of the Legislature and the Lieutenant Governor shall be allowed and entitled to Ten Dollars per day for expense in addition to that now allowed for expenses.

McDOWELL LEE,
Secretary.

The motion of Mr. Merrill to concur in and adopt the above and foregoing resolution, S. J. R. 20, was lost.

Yeas 33; Nays 63.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Drake | Kilgore | Pennington |
| Adwell | Foshee | Lybrand | Pruitt |
| Bassett | Hain | Malone | Snodgrass |
| Beck | Hardin | Mathews | Steagall |
| Blanton | Headley | Mays | Stembridge |
| Bowers | House | Meeks | Waggoner |
| Brassell | Jackson (F) | Merrill | Weeks |
| Cook (Coffee) | Jones | Owen (Baldwin) | Young |
| Cook (Jefferson) | | | |

—33

Nays:

| | | | |
|--------------|-------------|---------|--------------|
| Messrs.: | Cherner | Downing | Harper |
| Agee | Collier | Ellis | Harris |
| Bank | Collins (W) | Fine | Haygood |
| Berryman (W) | Crane | Gafford | Higginbotham |
| Bolton | Culver | Garrett | Hill |
| Brown | Dill | Gloor | Hobbie |
| Burgess | Dobbs | Graham | Hogan |
| Cameron | Doss | Grayson | Holman |

| | | | |
|--------------|--------------|-----------|----------|
| Jackson (T) | Meade | Shumate | Thomas |
| Lemley | Melton | Slate | Tuck |
| Manley | Neville | Smith (C) | Turnham |
| Marr | Owens (W.E.) | Smith (P) | Watkins |
| McCorquodale | Paulk | Snell | Williams |
| McDonald | Pearson | Springer | Wood |
| McElhaney | Perloff | Starnes | Wright |
| McLain | Sessions | Stubbs | Yeilding |

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of S. J. R. 3, the President and Presiding Officer of the Senate has appointed Messrs. Morrow, Childs and Hawkins as Committee on part of the Senate.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Cherner, Bowers, Cook (Jefferson), Adwell and House:

H. J. R. 14. WHEREAS, traditionally the National Guard has provided this Nation's first line of defense in times of emergency; and

WHEREAS, many units of the National Guard have frequently responded in a most admirable manner to calls to quell internal disorders and maintain peace and good order here at home in these United States and, on short notice, have been federalized and formed a big part of this Nation's first contingent of the armed forces sent to foreign lands in time of war; and

WHEREAS, the promptness and efficiency with which the citizen-soldiers who form the National Guard have always responded merits the heartfelt appreciation of their fellow citizens; and

WHEREAS, instead of bestowing upon the National Guard the praises rightfully earned by it, Senator Robert Kennedy of New York has recently scored the Guard as inefficient and untrained; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature hereby commends the officers and members of the National Guard, and particularly the Alabama Division thereof, for their loyalty and efficiency whenever called on to protect this Nation, either at home or abroad.

BE IT FURTHER RESOLVED, That we resent the detrimental remarks about the National Guard, which have been recently made by Senator Kennedy, and hereby assert that such remarks are completely refuted by the long-standing record of the speed, skill and efficiency with which numerous units of the Guard have always responded in times of this Country's greatest need.

On motion of Mr. Cherner the rules were suspended and H. J. R. 14 was adopted.

Also:

By Mr. Brown:

H. J. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That there shall be created and established a joint interim committee consisting of four members of the House and three members of the Senate, appointed by the respective presiding officers of the two houses. The members of the committee shall select a chairman and vice chairman from among their own number. The committee shall make a full inquiry into the needs of the individual members of the two houses in relation to office space, secretarial and clerical assistance, salaries, pay raises, expense allowances, and maintenance of local or home county offices for transaction of legislative business. Also, the committee shall determine ways and means of meeting the needs of legislators. A report of their findings, conclusions, and recommendations shall be made to the two houses by the first Tuesday in May, 1967.

RESOLVED FURTHER, That the members of the committee shall meet at such times and places as the committee chairman may designate. The committee members shall each be entitled to his usual per diem pay and expenses for attending committee meetings. The pay and expenses of members shall be paid from funds appropriated to the use of the Legislature on orders signed by the committee chairman.

Mr. Brown moved to suspend the rules and adopt the resolution, H. J. R. 15.

Mr. Owens (W. E.) called for a division of the question.

Mr. Brown then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 15, and said motion was lost.

Yeas 9; Nays 67.

Yeas:

| | | | |
|----------|--------|-------|--------|
| Messrs.: | Doss | Slate | Stubbs |
| Blanton | Harris | Snell | Tuck |
| Cameron | Meeks | | |

—9

Nays:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Gafford | Manley | Pruitt |
| Agee | Garrett | Marr | Shumate |
| Bassett | Gloor | Mathews | Smith (C) |
| Beck | Graham | Mays | Smith (P) |
| Berryman (W) | Grayson | McCorquodale | Snodgrass |
| Bowers | Hain | McDonald | Springer |
| Brassell | Hardin | McElhaney | Steagall |
| Burgess | Harper | McLain | Stembridge |
| Cherner | Higginbotham | Meade | Waggoner |
| Collins (W) | Hobbie | Melton | Watkins |
| Cook (Coffee) | Hogan | Merrill | Weeks |
| Cook (Jefferson) | Holman | Neville | Williams |
| Crane | House | Owens (W) | Wood |
| Downing | Jackson (T) | Owens (W.E.) | Wright |
| Drake | Jones | Paulk | Yelding |
| Ellis | Kilgore | Pearson | Young |
| Fine | Lybrand | Perloff | |

—67

And the resolution, H. J. R. 15, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Oden:

S. J. R. 21. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That House Joint Resolution number eleven which has been adopted by both Houses shall be named, designated and known as the Blanton, Hain and Givhan Resolution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hain the rules were suspended and the House concurred in and adopted the S. J. R. 21 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 11. Expressing regret upon the death of The Honorable John Whitfield Lapsley of Dallas County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 3. Providing for an interim committee to study current recommendations in regard to sex offenders.

Also:

S. J. R. 13. Commending Governor Lurleen Wallace on being named "Sixth Most Admired Woman in the World".

Also:

S. J. R. 14. Requesting the two Houses to meet in joint convention for the purpose of the opening and publishing of the returns of the election.

Also:

S. J. R. 15. Relating to the Legislature meeting on at least three days a week and four days when possible.

Also:

S. J. R. 18. Establishing a joint interim committee to study and determine the need for a school or college of optometry in Alabama.

Also:

S. J. R. 19. Commending the Knights of Columbus and Monsignor Malcolm J. Rafferty on their accomplishments.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 14. Declaring the support of and appreciation for the National Guard, particularly the Alabama Division thereof.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 9. Relative to appointing a Committee from both Houses to inform the Governor of a Joint Session to be held at 11:00 A. M. for the purpose of hearing the Message of Honorable Lurleen B. Wallace, Governor.

Also:

H. J. R. 12. Expressing appreciation to the City of Montgomery and its people for the many courtesies and warm hospitality upon the occasion of the inauguration of Alabama's Governor Lurleen B. Wallace.

Also:

H. J. R. 13. Congratulating Coach Paul "Bear" Bryant and the University of Alabama football team on their superb performance throughout the 1966 football season.

Also:

H. J. R. 14. Commending the officers and members of the National Guard, and particularly the Alabama Guard, for their loyalty and efficiency.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 21. Naming H. J. R. 11 the Blanton, Hain and Givhan Resolution.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions herein after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:05 A. M. On January 17, 1967

H. J. R. 8

Delivered to the Governor at 1:45 P. M. On January 17, 1967

H. J. R. 11

H. J. R. 9

H. J. R. 12

H. J. R. 13

H. J. R. 14

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned sine die at 1:45 P. M.

Rankin Fite
Speaker of the House of Representatives
of the Legislature of Alabama,
Organizational Session, 1967.

Attest:

John W. Pemberton
Clerk of the House of Representatives
of the Legislature of Alabama,
Organizational Session, 1967.

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JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION
OF 1967

HELD IN THE CITY OF MONTGOMERY
COMMENCING THURSDAY, MARCH 2, 1967



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION OF 1967**

FIRST DAY

House of Representatives
Montgomery, Alabama
Thursday, March 2, 1967

Be it remembered that on the 27th day of February, 1967, Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama, issued her proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, there presently exists in the State of Alabama a critical need for additional money for the purpose of continuing the highways and bridge building program presently underway throughout the State, and

WHEREAS, this need is so urgent that it would be unwise to await the convening of the Legislature of Alabama in Regular Session, and

WHEREAS, there are other pressing and urgent needs within the State which need to be met at this time, and

WHEREAS, the public interest and the public good require the convening of the Legislature in an extraordinary session:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby convene the Legislature at the seat of the government, in the City of Montgomery, Alabama, at six thirty p. m. the 2nd day of March, 1967, in special session, and specifically designate the following matters concerning which I deem action to be necessary.

1. Legislation to authorize the issuance, by existing or newly authorized public corporations, or otherwise, of bonds, or other securities for the purpose of constructing highways and bridges and all activities connected therewith, and to raise revenue and to appropriate and pledge funds to pay the principal of and the interest on such bonds or other securities and to raise revenue and appropriate funds for other highway and bridge purposes, whether in the form of new legislation or the modification or amendment of existing legislation, and to provide a program for road and street purposes of the counties and municipalities of the State of Alabama.

2. Legislation providing for appropriations for the operation, maintenance, and support of the Hospital Division of the Alabama Department of Mental Health.

3. Legislation providing for appropriations for capital outlay purposes to the Alabama Department of Mental Health.

4. Legislation to provide that all contracts of whatever nature for labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property, involving five hundred dollars (\$500.00) or more, made by or on behalf of any city or county governing body or county or city Board of Education, trade schools or junior colleges, and institutions under the control of the State Board of Education, shall, except for contracts for which competitive bidding is not required under present State law, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

5. Legislation to provide for the deposit of surplus State funds in banks or banking institutions on time deposits, open accounts and to provide for the payment of interest on such deposits made with such banks or banking institutions and to provide for the appropriation of the earnings and income from such deposits.

6. Legislation to amend existing law in order to authorize the "Alabama Corrections Institutions Finance Authority" to issue bonds for the purpose of providing funds for the acquisition of sites, for the construction, reconstruction, alteration and improvement of facilities of correctional institutions, for the procurement of equipment therefor, and for the payment of obligations incurred or temporary loans made for any of said purposes.

7. The attention of the Legislature is called to the provisions of the Uniform Time Act of 1966, Public Law 89-387, which provides that the State of Alabama will come under its provisions effective April 1, 1967, unless some action is taken to exempt the State from its provisions.

8. Legislation to make adjustments in the maximum salary scale for merit system employees and to appropriate funds to the various State departments to provide for a cost-of-living increase to merit system employees.

9. Local legislation.

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 27th day of February, 1967.

LURLEEN B. WALLACE,
Governor.

MABEL S. AMOS,
Secretary of State

In pursuance whereof, at the hour of 6:30 P. M., on Thursday the 2nd day of March, 1967, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend John E. Vickers, Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Jones | Pruitt |
| Bank | Drake | Kilgore | Sessions |
| Bassett | Edington | Laxson | Shumate |
| Beck | Ellis | Lemley | Slate |
| Berryman (R) | Fine | Lybrand | Smith (C) |
| Berryman (W) | Foshee | Malone | Smith (P) |
| Blanton | Gafford | Manley | Snell |
| Bolton | Garrett | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Burgess | Hain | McElhaney | Stembridge |
| Burgreen | Hardin | Meade | Stubbs |
| Cameron | Harper | Meeks | Thomas |
| Cherner | Harris | Melton | Tuck |
| Collier | Haygood | Merrill | Turnham |
| Collins (C) | Headley | Money | Waggoner |
| Collins (W) | Higginbotham | Neville | Watkins |
| Cook (Coffee) | Hill | Owen (Baldwin) | Weeks |
| Cook (Jefferson) | Hobbie | Owens (W) | Williams |
| Crane | Hogan | Owens (W.E.) | Wood |
| Crawford | Holladay | Paulk | Yeilding |
| Culver | Holman | Pearson | Young |
| Dill | House | | |

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Merrill the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED that said Committee ascertain from Her Excellency if she desires to address a joint session of the Legislature and if she does desire to address a joint session, to further ascertain the time most suitable to her for such address.

On motion of Mr. Merrill the rules were suspended and H. J. R. 2 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Bank, House and McDonald.

Also:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 7:30 o'clock today for the purpose of hearing the message of the Honorable Lurleen Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House, to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Merrill the rules were suspended and H. J. R. 3 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Hardin, McCorquodale and Meeks.

Also:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the printed Journals and Acts of the Organizational Session, this Special Session and any other Special Sessions of the Legislature of 1967 be bound respectively with the printed Journals and Acts of the Regular Session which commences in May of 1967.

On motion of Mr. Merrill the rules were suspended and H. J. R. 4 was adopted.

Also:

By Mr. Thomas:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with deep regret and profound sorrow the death of Mr. Charlie Herman Brown, brother of our beloved colleague from Tuscaloosa County, and extend our sincere sympathy to Representative Brown and the members of his family for their great loss.

On motion of Mr. Thomas the rules were suspended and H. J. R. 5 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and ready for the transaction of public business.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Pearson (with notice and proof):

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

Local Legislation No. 1.

Notice and Proof H. 1:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature of Alabama which will be in substance as follows:

An Act to levy in Autauga County a county license or excise tax of one-sixth of one cent on each fluid ounce or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage which tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; to provide that this act shall not have the effect of legalizing the sale, distribution, delivery, storage, taking out of storage or possession of spiritous or vinous beverages in said county; to provide that malt or brewed beverages may be sold or offered for sale only by licensees of the Alcoholic Beverage Control Board for off-premise consumption and on-premise and then only if the tax levied herein is paid; to provide that the tax levied shall be paid by stamps purchased and affixed by the distributor upon the issuance of a permit by the probate judge; to provide that where the additional tax shall have been paid by a distributor or seller such payment shall be sufficient, the intent being that such tax on the identical beverage shall be paid but once, providing for the manner of claiming exemptions where such tax has been paid and requiring that a detailed sworn statement setting out the name and address of the distributor or seller from whom the purchase was made, the date of purchase, the quantity and brand and size of the containers of the beverage purchased or procured and the disposition thereof shall be filed with the probate judge; to require each distributor or seller except those claiming exemptions to file monthly with the probate judge sworn written statements showing the name and address of such distributor or seller, each purchase or procurement of such beverage made, the name and address of the distributor or seller from whom the purchase or procurement, or to whom the sale or disposition, was made during the next preceeding calendar month, the brand, quantity and size of containers, and the date of such purchase and sale; to provide that each day's default in compliance shall constitute a separate offense; to fix the date of filing such statements and the payment of the tax due; to provide that it shall be un-

lawful for any distributor to engage in business without first obtaining a permit therefor or to continue in business when he is in default of such payment; to require each distributor or seller to file with the probate judge an initial bond in the approximate sum of twice the average monthly amount estimated by the probate judge to be due and thereafter to be adjusted to an amount not less than twice the amount of the tax liability for the preceeding month; to require each distributor or seller to keep at his place of business at all times accurate and complete records and information necessary to determine the amount of tax to which such person may be subject, which records shall be open for inspection and examination to authorized personnel during reasonable hours, and to make it unlawful for any person connected with the administration of this act to divulge such information to other than authorized personnel except when so required by court order; to provide that all necessary forms required shall be furnished by the probate judge at the expense of the county; to provide for the proceeds of the tax levied herein to be paid to the probate judge for deposit in the general fund of the county; to provide that violations of certain provisions shall constitute a misdemeanor and to prescribe penalties therefor; to provide for the severability of the provisions of this act and to make the act effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, Feb. 9, Feb. 16, and Feb. 23, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

My Commission expires Dec. 9-70.

By Mr. Pearson (with notice and proof):

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Local Legislation No. 1.

Notice and Proof H. 2:

STATE OF ALABAMA COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Autauga County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and deposited in the county treasury and credited to a special fund to be known and designated as the sheriff's fund. Such fund shall be drawn upon by the sheriff and used exclusively for purposes of law enforcement.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 9, Feb. 16, Feb. 23, and Mar. 2, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

My Commission expires Dec. 9-70.

By Messrs. Owen (Baldwin) and Brannan:

H. 3. To appropriate from the State General Fund the sum of Fifty Thousand Dollars (\$50,000.00) to the State Building Commission to be used for additional construction and equipping of a public fishing pier at Gulf State Park.

Ways and Means.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 4:

LEGAL NOTICE

STATE OF ALABAMA
BALDWIN COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that, application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Loxley, Baldwin County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Loxley and in addition thereto the following described territory, to-wit:

The North half of the Southwest Quarter of the Northeast Quarter; and the North half of the South half of the Southwest Quarter of the Northeast Quarter of Section 15, Township 5 South, Range 3 East, being 30 acres, more or less.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be Entitled an Act To rearrange the boundary lines of the Town of Loxley was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication August 4, 1966

Date of 2nd publication August 11, 1966

Date of 3rd publication August 18, 1966

Date of 4th publication August 25, 1966

Subscribed and sworn before the undersigned this 25 day of Aug., 1966

DOROTHY MARTIN,
Notary Public, Baldwin County.

J. H. FAULKNER, JR.,
Editor.

By Mr. Neville:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Local Legislation No. 1.

By Mr. Owens (W.) (with notice and proof):

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 6:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama, are hereby altered, rearranged and extended so as to include within the town, in addition to other territory now within such corporate limits, all of the following described territory which is not now already within such corporate limits:

Commence at the Northeast corner of Section 13, Township 22 South, Range 6 West, Bibb County, Alabama, said Northeast corner of Section 13 being the beginning point of this description; thence run West to the half mile corner on the North boundary of said Section; thence South to the Center of said Section; thence West to the half-mile corner on the West boundary of Section 13; thence South to the Northeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 22 South, Range 6 West; thence West to the Northwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence North to the Northeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14; thence West to the Southeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14; thence North to the Northeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence West to the Northwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15, Township 22 South, Range 6 West; thence South to the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 15; thence East to the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence South to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 15; thence East to the Southeast corner of said Section 15; thence South to the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 22 South, Range 6 West; thence East to the Southeast corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 19, Township 22 South, Range 5 West; thence North to the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Township 22 South, Range 5 West; thence West to the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 18; thence North to the Northeast corner of Section 13, Township 22, South, Range 6 West, and to the point of beginning of this description.

The land described herein embraces an area of 3.81 square miles and adds to the Town of West Blocton an area of 3.38 square miles.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on, Feb. 9, Feb. 16, Feb. 23, and March 2, all in the year 1967.

J. W. OAKLEY, SR.

Sworn to and subscribed before me March 2, 1967.

MARVIN HUETT,
Notary Public.

By Messrs. Merrill, Bowers, Adwell and Drake:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Ways and Means.

By Messrs. Merrill, Adwell, Bowers and Drake:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Ways and Means.

By Messrs. Merrill, Bowers, Adwell, Drake and Thomas:

H. 9. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Ways and Means.

By Messrs. Merrill, Drake and Thomas:

H. 10. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Ways and Means.

By Messrs. Merrill, Drake, Adwell, Bowers and Thomas:

H. 11. To make an additional appropriation to the Agricultural Center Board.

Ways and Means.

By Messrs. Merrill, Bowers, Adwell and Drake:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

Ways and Means.

By Messrs. Merrill, Lybrand and Burgess:

H. 13. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; to provide further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

By Messrs. Merrill, Lybrand and Burgess:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Local Legislation No. 1.

By Messrs. Merrill, Lybrand and Burgess:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Local Legislation No. 1.

By Messrs. Burgess, Merrill and Lybrand:

H. 16. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Ways and Means.

By Messrs. Lybrand and Burgess:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Local Legislation No. 1.

By Messrs. Merrill, Bowers, Adwell, Drake and Thomas:

H. 18. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Ways and Means.

By Mr. Lemley (with notice and proof):

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Local Legislation No. 1.

Notice and Proof H. 19:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the country treasury.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The chief deputy sheriff and each of the other deputies of sheriff of Blount County whose compensation is payable by the county shall each be entitled to receive the sum of seventy-five dollars (\$75.00) per month in addition to all other compensation prescribed by law, to be paid in the same manner as their other compensation. Provided, that this act shall not apply to any deputy of the sheriff who is employed or appointed under authority of a local law enacted after January 1, 1967.

SECTION 2. All laws or parts of laws which conflict with this act are repealed.

SECTION 3. This act shall become effective on the first day of the month commencing after the date of this enactment.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of February, 1967.

MOLLY RYAN.

By Mr. Lemley (with notice and proof):

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Local Legislation No. 1.

Notice and Proof H. 20:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT
TO BE ENTITLED
AN ACT

Relating to Blount County; Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Justices of the peace and notaries public with the powers of justices of the peace in Blount County now acting or here-

after appointed or elected shall have no jurisdiction, either final or for the purpose of binding over to await the action of the grand jury, in any criminal or quasi-criminal case, or in any garnishment or attachment proceedings.

SECTION 2. All criminal and quasi-criminal and all garnishment or attachment proceedings pending in any justice of the peace court or any court of a notary public with powers of a justice of the peace in Blount County shall be transferred forthwith by the justice or notary to the Law and Equity Court of Blount County, and shall proceed as if begun therein.

SECTION 3. All process of attachment, including garnishment and all attempts to institute such process, in courts of justices of the peace in Blount County shall be absolutely void and of no effect, and any justice of the peace, or any notary public with powers of a justice of the peace or the agent or a clerk of any justice of the peace or notary ex officio who issues a writ of attachment, including garnishment, in contravention of this act shall be guilty of a misdemeanor, and upon conviction shall be liable to a penalty of One hundred dollars (\$100.00), one-half thereof to the use of the defendant in the attachment or garnishment and the remainder to the use of Blount County.

SECTION 4. Nothing in this Act shall be construed to limit the jurisdiction of the Law and Equity Court of Blount County, any Mayors' Court, Recorders' Court or other court of any municipality in Blount County.

SECTION 5. All laws in conflict herewith are hereby repealed.

SECTION 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA, BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 26 day of January, 1967, and ending on the 16 day of February, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 2 day of March, 1967.

MOLLY RYAN.

By Mr. Lemley (with notice and proof):

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Local Legislation No. 1.

Notice and Proof H. 21:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Blount County of violations of the rules of the road, or the laws of this state relating to or regulating traffic of the operation of motor vehicles upon the highways of this state, shall be paid into the fine and forfeiture fund of Blount County, and the remainder shall be remitted by the proper authority to the state treasurer, who shall credit the same to the proper fund in the state treasury.

SECTION 2. Ten per cent of said funds paid into the fine and forfeiture fund of Blount County must be expended by the governing body of Blount County, for the establishment, equipping and maintenance of a library for the use of the judges and officers of the several courts of Blount County.

SECTION 3. All laws or parts of laws which conflict with this act are repealed.

SECTION 4. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of February, 1967.

MOLLY RYAN.

By Mr. Lemley (with notice and proof):

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the

Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

Local Legislation No. 1.

Notice and Proof H. 22:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA

COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

RELATING TO BLOUNT COUNTY, AUTHORIZING AND DIRECTING THE GOVERNING BODY OF SAID COUNTY TO PROVIDE FOR THE APPOINTMENT BY THE SHERIFF OF A DEPUTY SHERIFF IN ADDITION TO ALL OTHER DEPUTIES PROVIDED BY LAW.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of Blount County is hereby authorized and directed to provide sufficient funds monthly from the county treasury for the appointment by the Sheriff of Blount County of a deputy sheriff, such deputy to be in addition to all other deputies provided by law. The governing body of the county shall fix the deputy's salary at not less than four hundred and no/100 (\$400.00) dollars per month, and not more than four hundred fifty and no/100 (\$450.00) dollars per month, said salary to be paid from the general fund of the county.

SECTION 2. All laws or parts of laws which conflict with this act are repealed.

SECTION 3. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 2 day of March, 1967.

MOLLY RYAN.

By Mr. Berryman (R) (with notice and proof):

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Local Legislation No. 1.

Notice and Proof H. 23.

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Be It Enacted by the Legislature of Alabama:

Act No. 101, H. 112, Special Session 1966, an act regulating and providing for payment of the compensation of certain deputies of the sheriff of Lawrence County, is hereby amended to read as follows:

"Section 1. In Lawrence County, the chief deputy sheriff shall be entitled to a salary of not less than \$4,000 nor more than \$5,500 per annum, which salary shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 2. The deputies of the sheriff other than the chief deputy whose compensation is payable by the county, not exceeding three in number, shall each be entitled to a salary of not less than \$4,000 nor more than \$5,200, which salaries shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 3. The salaries of the chief deputy and other deputies shall be paid in whole or in part out of the county public highway and traffic fund or the county general fund, as the court of county commissioners, board of revenue, or other like governing body of the county may direct, in equal monthly installments, upon warrants drawn on the county treasury in the manner prescribed by law.

"Section 4. All laws or parts of laws which conflict with this Act are repealed.

"Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and

that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 12, Jan. 19, Jan. 26, and Feb. 2, all in the year 1967.

ARTHUR F. SLATON.

Sworn to and subscribed before me February 10, 1967.

LERUTH G. SLATON,
Notary Public.
4-15-70

By Mr. Berryman (R) (with notice and proof):

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 24:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

STATE OF ALABAMA COUNTY OF LAWRENCE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made.

The bill will relate to the government of Lawrence County. It will abolish the board of revenue of Lawrence County, which is the present county governing body, and establishes in lieu thereof a court of county commissioners with the judge of probate as principal judge and four commissioners. It will provide for the organization, powers, jurisdiction and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of the commissioners from the several commissioners districts in the county. It will stipulate that the duties imposed on the judge of probate will be ex officio duties for which he shall not be entitled to any additional compensation. In providing for the jurisdiction and powers of the court of county commissioners it will be expressly provided that the court of county commissioners, except as otherwise provided in this bill and in the act providing that Lawrence County roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and officials thereof of certain duties in regard thereto (Act No. 326, H. 109, of the Special Session of 1966), shall have and exercise all the jurisdiction and powers vested in courts of county commissioners by the general laws of the State. Also that the members of the court of county commissioners shall preform all the duties and

services and exercise all the powers which are or hereby may be provided by law for members of courts of county commissioners. The bill will authorize the judge of probate to employ a clerk to assist him in the performance of his duties as chairman of the court of county commissioners, and will authorize the judge of probate to prescribe the clerk's duties. The clerk's compensation will be fixed in the bill, and provision will be made for the payment thereof out of the county treasury. The bill will prescribe meeting dates for the court of county commissioners and procedures to be followed at such meetings. It will prescribe the number of affirmative votes required in order for Lawrence County to borrow money, issue tax anticipation warrants or pledge future taxes. It will also regulate county purchasing and prescribe procedure therefor. It will forbid certain uses of county property and prescribe penalties for violations of the act proposed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967, all in the year 1966 & 67.

ARTHUR F. SLATON.

Sworn to and subscribed before me February 10, 1967.

LERUTH G. SLATON,
Notary Public.
4-15-70

By Messrs. Mathews, Drake, Merrill, Owens (W. E.), Pennington and Cook (Coffee):

H. 25. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge

for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Ways and Means.

By Messrs. Cook and Steagall:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Judiciary.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Local Legislation No. 1.

Notice and Proof H. 27:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Deputy Solicitor of Covington County is hereby abolished.

Section 2. All laws general, special or local in conflict with the provisions of this Act are hereby repealed insofar as they relate to Covington County.

Section 3. That this Act shall go into effect immediately upon its passage or approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannally, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNALLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Local Legislation No. 1.

Notice and Proof H. 28:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Be It Enacted by the Legislature of Alabama:

Section 1. That Local Act No. 149 of the Legislature of 1927 (Local Acts 1927, Page 64) entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury," be and the same is hereby repealed.

Section 2. This Act shall go into effect immediately upon its passage or approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannally, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNALLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Local Legislation No. 1.

Notice and Proof H. 29:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. INTERMEDIATE COURT CREATED. There is hereby established in Covington County a court with County-wide jurisdiction of criminal cases and civil actions, as hereinafter provided, which court shall make final records in all cases except cases cognizable before justices of the peace. The court shall be known as "The Covington County, Alabama, Intermediate Court." It shall be in lieu of the Juvenile Court and all criminal divisions of any inferior courts, which court and criminal divisions are hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in Subsection (b), the Court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases and all matters under Article 3 of Chapter 4, Title 34, Code of Alabama 1940 as last amended including paternity proceedings under the provisions of Title 27, Sections 12(1)-12(10), Code of Alabama, Recompiled 1958, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved cognizable before the Circuit Court, or a county court, or the Juvenile Court, or the Probate Court, or Justice of the Peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have the authority to punish contempt by fine not exceeding Fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of courts of record. (b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$1500.00, nor take cognizance of any matter or proceeding in equity. (c) In actions for the recovery of personal property pledged, mortgaged, or otherwise aliened to secure the payment of a debt, the amount or sum in controversy shall be the amount due on the debt. (d) The Judge of the Court shall have and exercises preliminary jurisdiction in felony cases, and the Clerk and the Clerk's Deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said Court.

Section 3. JUDGE. (a) A Judge of the Court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (b) Immediately after the passage of this Act, the Governor shall appoint and commission a Judge of the Court herein established, who shall hold office until his successor is elected or appointed as provided herein. (c) The Judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Covington County, Alabama, learned in the law, and has been licensed to practice law in this State. Any vacancy occurring in the office of Judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The Judge shall receive an annual salary of \$11,500.00 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The Judge shall have authority to: 1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; 2) administer oaths and take acknowledgments; 3) issue search warrants; 4) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the Judge shall not have or exercise the powers, jurisdiction, or authority of equity courts. (f) The Judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court. (g) In the event the Judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code of Alabama.

Section 4. SOLICITOR. (a) There is hereby created the office of County Solicitor of Covington County. (b) The County Solicitor of Covington County shall be elected by the qualified electors of the County at the general election of 1970, and every four (4) years thereafter. His terms shall be for four (4) years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (c) Immediately after the passage of this Act, the Governor shall appoint and commission a County Solicitor who shall hold office until his successor is elected or appointed as provided herein. The County Solicitor shall, before entering upon the duties of his office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of County Solicitor unless he is at the time of his appointment or election, a qualified elector of Covington County, Alabama, learned in the law, and has been licensed to practice law in this State. Any vacancy occurring in the office of County Solicitor shall be filled by appointment as provided in Section 158 of the Constitution. (d) The County Solicitor shall receive an annual salary of \$3600.00 payable out of the general fund of the County in equal monthly installments as the salaries of other county officers are paid. (e) It shall be the duty of the County Solicitor of Covington County to represent the State of Alabama in all cases in the Covington County Intermediate Court in all criminal and juvenile cases cognizable therein, including preliminary proceedings, applications, bail and Habeas Corpus and other criminal and quasi-criminal proceedings requiring the services of a prosecuting attorney. (f) The County Solicitor shall be clothed with all other powers and shall be charged with all duties now given or imposed upon a county solicitor by laws now in force or hereafter to be prescribed by law for deputy solicitors.

Section 5. SESSIONS. The Court shall be open at all times for the transaction of business, and the Judge shall by orders spread upon the minutes fix the time for holding regular and special sessions thereof.

The governing body of Covington County shall provide a suitable place in the Courthouse for the holding of said Court and for the transaction of its business, including office space, and furnish all the books, stationery, papers and other materials as are provided for the Circuit Court, or which may be necessary for the operation and maintenance of the Court.

Section 6. PRACTICE AND PROCEDURE. (a) The Court shall have three divisions, namely law, criminal, and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts. (b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

Section 7. JURIES. The Court shall not draw, organize, or empanel grand or petit juries. The Judge shall decide all issues of fact without the intervention of a jury.

Section 8. COSTS. (a) For their attendance upon the Court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the Circuit Court, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the

same regulations as apply in the Circuit Court. (b) In addition to the fees for witnesses the Court shall have authority to tax costs and fees for the use of the officers of the county as follows: (1) In each civil action at law the same as in circuit court. (2) In each criminal case involving an offense of which justices of the peace have final jurisdiction, except the offense of driving while intoxicated, the same as in justice courts. (3) In every other criminal case, and in cases involving the offense of driving while intoxicated, the same as in circuit court. (c) A trial tax of \$3.00 shall be collected for the use of the county in each civil action and criminal case. (d) No cost shall be taxed in juvenile cases. (e) The fees of the Clerk of the Covington County Intermediate Court and Sheriff of said county in cases where a nolle prosequi is ordered, or where cases are abated by the death of a defendant shall be paid out of the fine and forfeiture fund of Covington County. (f) All fines and forfeitures, except those required by law to be paid or remitted to the State Treasurer, or other state officer or department shall be deposited by the Clerk in the fine and forfeiture fund of the county. The Clerk shall retain his own fees and the fees of the Sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by State law.

Section 9. CRIMINAL PROSECUTIONS. No prosecution shall be commenced in such Court except upon sworn complaint made to either the Judge or the Clerk or the Clerk's Deputy, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The Clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

Section 10. JUDGMENTS. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. APPEALS. Any party aggrieved by a judgment rendered against him may appeal to the Circuit Court as herein provided. (1) If the case is a civil case the appeal is taken by giving written notice within fifteen days after rendition of the judgment and execution of a bond, with sufficient securities, for payment of costs in the case, in both the Intermediate Court and the Circuit Court. Upon giving such notice and bond for costs execution on the judgment is thereby stayed pending the appeal to the Circuit Court. Such appeals shall be governed by Article 6 Chapter 8, Title 13, Code of Alabama, 1940, except as herein otherwise proved. (2) If the case arises under the jurisdiction of the Court with respect to juveniles, the appeal shall be governed by Sections 371 and 372 of Title 13 of the Code of Alabama of 1940. (3) In every criminal case the appeal shall be governed by Section 349 of Title 13 of the Code of Alabama of 1940.

Section 12. CLERK. (a) The Clerk of the Circuit Court of Covington County, Alabama, shall be ex officio clerk of the Court herein established. He shall have power to appoint a Deputy Clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The Clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the Court's business. He shall keep a seal, which shall be the official seal adopted by the Court. (b) It shall be the duty of the Clerk to keep all the records, files, and dockets of the Court

in an orderly manner and to perform all other duties required by the Judge. (c) The Clerk shall have power and authority: 1) to administer oaths and take acknowledgments and affidavits; 2) to sign and issue all processes issuing out of the Court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; 3) to approve bonds in civil cases; 4) to enter all judgments, orders, and decrees of the Court; 5) to certify all appeals and transcripts; 6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts; d) the Clerk shall attend the sessions of the Court in person or by Deputy.

Section 13. The Sheriff shall attend the sessions of the Court in person or by Deputy. He shall execute all writs and processes of the Court, and perform such other duties as he may be required to perform in the Circuit Court.

Section 14. BAILIFF. The Bailiff of the Circuit Court of Covington County, Alabama, shall be ex officio Bailiff of the Court created herein, and he shall attend all sessions of the Court, and perform the duties, and have the authority provided by law for Bailiffs. In the event the Bailiff of the Circuit Court of Covington County, Alabama, is incapacitated, or otherwise unable to attend, the Judge of the Court herein created shall have the right to appoint a Bailiff who shall receive as compensation for the performance of his duties a sum not to exceed \$10.00 per day to be paid out of the general fund of the county upon the warrant approved by the Judge of this Court.

Section 15. TRANSFER OF CASES. (a) The presiding Judge of the Circuit Court of Covington County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the Court created herein (1) all civil cases pending in the Circuit Court in which the amount in controversy is less than \$1500.00 and no jury has been demanded and such cases shall proceed as though begun therein (2) all cases pending in the Circuit Court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this Act, every indictment returned by a grand jury of Covington County which charges a person with a misdemeanor shall be transferred immediately to the Court herein and all subsequent proceedings on the indictment shall be had therein. (b) The Probate Judge of Covington County shall, on the effective date of this Act or as soon thereafter as its practicable, transfer to the Court herein created all juvenile, criminal and quasi-criminal cases pending in the Probate Court of Covington County and such cases shall proceed as though begun therein.

Section 16. SEVERABILITY. The provisions of this Act are severable. If any part is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 17. REPEALER. All laws which conflict with this Act are repealed.

Section 18. EFFECTIVE DATE. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannally, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Local Legislation No. 1.

Notice and Proof H. 30:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Be It Enacted by the Legislature of Alabama:

Section 1. The criminal and quasi-criminal jurisdiction now conferred by law upon justice of the peace courts and notaries with the powers of a justice of the peace in Covington County is hereby abolished. Hereafter, it shall not be lawful for any justice of the peace in Covington County nor any notary with the powers of a justice of the peace to have or exercise jurisdiction in any criminal case or quasi-criminal case. The jurisdiction conferred by general laws upon such officers or courts is hereby withdrawn and taken from them.

Section 2. This Act shall not affect any case or proceeding pending on its effective date.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannally, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

By Messrs. Drake, McDonald and Starnes:

H. 31. To require the operators and riders of certain two-wheel motorized vehicles to wear protective helmets; and to prescribe penalties.

Judiciary.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Local Legislation No. 1.

Notice and Proof H. 32:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Cullman County shall be entitled to a salary of \$8,500 per annum and an annual expense allowance of \$1,000 which salary and allowance shall be paid in equal monthly installments out of the general fund of the county. The provisions of this section shall supersede Section 1 of Act No. 297, H. 554, Regular Session 1957 (Acts 1957, p. 379), as amended with respect to the total compensation of the sheriff in said county.

Section 2. The salary of the chief deputy of said county shall be \$5,400 per annum.

Section 3. In addition to the chief deputy and the four additional deputies now allowed by law to the sheriff of said county, the sheriff is hereby authorized to appoint two additional deputies so as to allow a total of six deputies sheriff in addition to the chief deputy in Cullman County. All such deputies shall serve at the pleasure of the sheriff and for the performance of their duties each shall be entitled to a salary of \$5,200 per annum.

Section 4. The clerk now serving in the office of the sheriff of Cullman County shall be designated the chief clerk of the office of the sheriff and shall be entitled to a salary of \$4,500 per annum. The sheriff of said county is hereby authorized to appoint one additional clerk for his office who shall serve at the pleasure of the sheriff and who shall be entitled to a salary of \$3,600 per annum.

Section 5. For the safe, efficient and sanitary operation of the jail and care of prisoners, the sheriff is hereby authorized to appoint one additional jailer and to employ a regular cook to prepare meals for the prisoners. The salaries of each of the jailers shall be \$4,500 per annum and the salary of the cook shall be \$2,000 per annum.

Section 6. All salaries and allowances provided for in this Act shall be the total compensation of each such officer or employee and shall be paid in equal monthly installments out of the general fund of the county upon the order of the county governing body.

Section 7. The sheriff shall for his official use and the use of his deputies be provided with four automobiles of his choice, with the purchase price and the cost of operation and maintenance of such automobiles to be paid for out of the general fund of the county.

Section 8. All laws and parts of laws in conflict with this Act are repealed and Act No. 16, H. 78, 1962 Special Session (Acts 1962, p. 23) and Act No. 154, S. 122, First Special Session 1964 (Acts 1964 First and Second Special Sessions, p. 219) as amended are specifically repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me March 2, 1967.

SUE EVANS,
Notary Public.

My Commission Expires May 27, 1967.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Local Legislation No. 1.

Notice and Proof H. 33:

LEGAL NOTICE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the Cullman County Intermediate Court shall be provided a sum not exceeding \$2400 per annum for employment of secretarial assistance. Such allowance shall be payable as directed by the judge of said court from the general funds of Cullman County on requisition signed by the judge.

Section 2. This Act is supplemental to Act No. 163, H. B. 168, approved March 30, 1965 (Acts of Alabama, Spec. Sess. 1965, p. 209).

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on February 5, February 14, February 19, and February 26, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me March 2, 1967.

SUE EVANS,
Notary Public.

My Commission Expires May 27, 1967.

By Messrs. Drake, Starnes and McDonald:

H. 34. To make an appropriation from the state treasury for the repair, replacement, or reconstruction of a hanger at the Cullman County airport.

Ways and Means.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Local Legislation No. 1.

Notice and Proof H. 35:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to the grand jury, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the limits of Cullman County. All criminal and quasi-criminal jurisdiction heretofore vested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of the county is hereby vested in the Cullman County Intermediate Court. Nothing in this Act shall affect any case or proceeding pending on the date this Act becomes effective.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the CULLMAN TRIBUNE, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 30th January, 1967.

FRED W. ABT,
notary public.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Local Legislation No. 1.

Notice and Proof H. 36:

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Be It Enacted by the Legislature of Alabama:

Section 1. No constable within the boundaries of Cullman County shall be authorized to execute any service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public with powers of justices of the peace; nor shall any constable in such county be authorized to make an arrest unless the failure to make such arrest may be reasonably expected to result in bodily harm and injury or death.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Fred W. Abt a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: January 5, 12, 19, 26, 1967.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 30th day of January 1967.

FRED W. ABT,
Notary Public.

By Mr. Steagall (with notice and proof):

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Local Legislation No. 1.

Notice and Proof H. 37:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County, is amended to read as follows:

"Section 1. The deputy district attorney of Dale County shall be entitled to a salary of two hundred dollars a month and in addition shall be paid an expense allowance of fifty dollars a month. Such salary and expense allowance shall be payable from the county treasury at the end of each month on warrants drawn in the manner prescribed by law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

By Mr. Steagall (with notice and proof):

H. 38. Relating to Dale County; providing for the time of closing county offices.

Local Legislation No. 1.

Notice and Proof H. 38:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dale County; providing for the time of closing county offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or other like county governing body of Dale County may, in its discretion and by resolution duly adopted and recorded in its minutes, authorize the county offices of the officials in the courthouse or in other buildings used for county purposes to be closed one-half day on each of any two days of each week.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

By Mr. Steagall (with notice and proof):

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Local Legislation No. 1.

Notice and Proof H. 39:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a board of jury supervisors in and for Dale County which board shall be in lieu of the

jury commission of said county and which shall have all the power, authority, duties, and jurisdiction which is now conferred by law or which may hereafter be conferred by law upon jury boards and jury commissions in this State.

Section 2. The board of jury supervisors shall be composed of five members, with each county commissioner's district to be represented in the membership of the board by a qualified elector of the district. Such members of the board together with a clerk for the board shall be appointed by the governor for and only during the tenure of office of the governor making the appointment and until their successors are appointed and qualified. Said clerk shall take the oath of office, assist the members of the board in maintaining adequate and sufficient names on the jury rolls, and perform all the duties now required by law of clerks of jury boards and jury commissions in this State. Said clerk shall receive for his services a salary of Fifty dollars (\$50) per month, to be paid out of the county treasury upon the order of the president of the board of jury supervisors.

Section 3. Upon the appointment and qualification of the members of the board created herein, the persons heretofore acting as the jury commission shall deliver to said board the jury roll, all books, papers, cards and other records of the jury commission whereupon said commission shall be abolished. Within ten days thereafter, the members of the board created herein shall meet and organize as such board by electing one of their number as president of the board and shall begin the discharge of the duties imposed and required of them. Any three members shall constitute a quorum for the discharge of any and all business properly coming before the board. The board shall meet at such times as now required by law and in addition shall be authorized to meet at such other times as the board may deem necessary for the efficient discharge of its duties. For the performance of their duties each member of the board of jury supervisors shall be paid the sum of ten dollars per day for the time actually engaged in the discharge of his duties as such member, to be paid out of the county treasury upon the warrant of the probate judge of the county. Such warrants are to be issued by such probate judge upon evidence satisfactory to him that such service has been rendered; but the compensation of each member of the board shall not exceed five hundred dollars for any one year of his term.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

By Mr. Blanton:

H. 40. To propose an amendment to the Constitution providing the method of adopting amendments to the Constitution which affect subdivisions less than the entire State.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Mays:

H. 41. For the relief of Bessie H. Rosser and R. M. Rosser doing business as City Loan Company at Atmore, Alabama; appropriating funds deposited in the state treasury to the credit of the Bureau of Loans for such purpose.

Ways and Means.

By Messrs. Malone, Owens (W.E.) and Wright:

H. 42. To propose an amendment to the Constitution of Alabama authorizing and providing that only those political subdivisions affected by a proposed Constitutional amendment shall vote thereon; and authorizing for an election to be held on said proposed Constitutional amendment.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Owens (W.E.):

H. 43. To make an appropriation to the office of the Attorney General and to provide for special Assistant Attorneys General and investigators.

Ways and Means.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 44:

To be introduced in the next special session of the Alabama Legislature. (Local bill, Geneva County.)

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section I.

The fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177 shall be five dollars, in Geneva County, Alabama which shall be collected by the sheriff and credited to a special fund or account of the sheriff and shall be used exclusively by the sheriff for uniforms, ammunition and equipment or any other purpose for the benefit of the sheriff's office or duties.

Section II.

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing Jan. 26, 1967, and ending Feb. 16, 1967.

WITNESS my hand this 27 day of February, 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 27 day of Feb., 1967.

KAROL L. FLEMING,
Notary Public.

By Mr. Tuck (with notice and proof):

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Local Legislation No. 1.

Notice and Proof H. 45:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) is further amended to read as follows:

"Section 2. The judge of probate may employ such clerical assistants as he may deem necessary for the efficient performance of the duties required and shall fix the amount of their compensation payable from the general funds of the county, subject to the approval of the court of county commissioners."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19, all in the year 1967.

R. K. MARTIN.

Sworn to and subscribed before me Feb. 25, 1967.

GENEVA L. MATTISON,
Notary Public in and for Greene Co., Ala.

By Mr. Tuck (with notice and proof):

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

Local Legislation No. 1.

Notice and Proof H. 46:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; providing for closing county offices on Saturdays.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners of Greene County may, in its discretion and by resolution duly adopted and recorded in its minutes, authorize the offices of the officials in the courthouse or in other buildings used for county purposes to be closed on Saturday afternoons in addition to any other time such offices may be authorized to be closed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19, all in the year 1967.

R. K. MARTIN.

Sworn to and subscribed before me Feb. 25, 1967.

GENEVA L. MATTISON,
Notary Public in and for Greene Co., Ala.

By Messrs. Crawford and Turnham:

H. 47. To provide for payment of the additional amount of \$3.00 as a portion of the license or registration fee with respect to each motor vehicle, including each self-propelled vehicle and each vehicle drawn by a self-propelled vehicle, used on public highways in the State of Alabama; and to provide for disposition of the additional amount of license herein provided for.

Ways and Means.

By Messrs. Turnham, Higginbotham and Brassell:

H. 48. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Ways and Means.

By Messrs. Pennington, Fite, Thomas, Mathews, Merrill, Drake, Bowers, Adwell, Owens (W.E.), Jones, Snodgrass and Laxson:

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and

to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Ways and Means.

By Messrs. Pennington, Drake, Bowers, Adwell, Owens (W.E.), Pruitt, Manley, and Tuck:

H. 50. An Act to provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

Ways and Means.

By Messrs. Fite, Mathews, Merrill, Pruitt and Drake:

H. 51. For the purpose of providing for regulating salaries payable to officers and certain employees of the State of Alabama Highway Department, and to the appointment of and removal of the position of the Chief Engineer.

Ways and Means.

By Messrs. Downing, Fite, Bowers, Cook (Jefferson), Collins (W), Tuck, Manley, Pruitt, Gafford and Meeks:

H. 52. To provide further for state participation in the Tennessee-Tombigbee Waterway Project; authorizing and requiring the Alabama Highway Department to undertake within the State of Alabama certain construction, operation and maintenance work connected with such project, conferring upon the Alabama Highway Finance Corporation certain responsibilities and authority with respect to such undertakings, including the authority to issue and sell revenue bonds to finance state participation in the project, and appropriating public funds.

Ways and Means.

By Mr. McDonald:

H. 53. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

State Administration.

By Messrs. Smith (C), Grayson, Downing, and Hogan:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional

parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Ways and Means.

By Messrs. Hogan, Downing, Grayson, Perloff, Collins (W) and Smith (C):

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Local Legislation No. 3.

By Mr. Garrett:

H. 56. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Constitution and Elections.

By Mr. Garrett:

H. 57. Proposing an amendment to the Constitution of Alabama providing for a constitution revision commission.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Smith (C), Collins (W), Grayson, Downing and Hogan:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obliga-

tion bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Perloff, Smith (C), Downing, Collins (C), Collins (W), Hogan, Grayson, Edington, Marr and Dill:

H. 59. To exempt counties and municipalities and other political subdivisions of cities and counties, including city and county boards of education, from payment of state and local gasoline taxes.

Ways and Means.

By Messrs. Beck, Lemley, Smith (P), Shumate, Williams, Meade, Tuck, Berryman (R), Burgreen, Owens (W.E.), Berryman (W), Young, Fine, Paulk, Brannan and Mays:

H. 60. To provide for uniform time and exempt Alabama from the daylight saving time provisions of the "Uniform Time Act of 1966" (Public Law 89-387).

Ways and Means.

By Mr. Beck (with notice and proof):

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 61:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of The State of Alabama, at the First Session of Legislature of the State of Alabama in 1967, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory:

Beginning at the NW corner of Section 29, Township 6 South, Range 9 East of the Huntsville-Meridian in DeKalb County Alabama, run eastward with the north boundry of said Section 29 and to the NE corner thereof; thence continue eastward with the north boundry of Section 28, Township 6 South, Range 9 East to the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 28; thence run in a northeasterly direction across Section 21, Township 6 South, Range 9 East and to the NE corner of said Section 21; thence run in a northeasterly direction across Section

15; Township 6 South, Range 9 East to the NW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 15; thence run eastward with the north boundary of said Section 15, Township 6 South, Range 9 East and to the NE corner thereof; thence continue eastward with the north boundary of Section 14, Township 6 South, Range 9 East and to the NE corner thereof; thence run southeastward diagonally across the NW $\frac{1}{4}$ of Section 13, Township 6 South, Range 9 East and to the center point of said Section 13; thence run southwesterly across the SW $\frac{1}{4}$ of said Section 13 and the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 9 East to the half mile corner on the east boundary of Section 23, Township 6 South, Range 9 East; thence continue southwestward across the SE $\frac{1}{4}$ of said Section 23, the NE $\frac{1}{4}$, the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 9 East and to the SW corner of said Section 26; thence run southward with the east boundary of Section 34, Township 6 South, Range 9 East and the east boundary of Section 3, Township 7 South, Range 9 East and to the SE corner of said Section 3; thence run southwesterly in a straight line across Sections 10, 15, 16, 21, 20 and 29, Township 7 South, Range 9 East to the SW corner of said Section 29; thence run westward with the south boundary of Section 30, Township 7 South, Range 9 East, the south boundary of Sections 25 and 26, Township 7 South, Range 8 East and to the SW corner of said Section 26; thence run northward with the west boundaries of Sections 26, 23, and 14, Township 7 South, Range 8 East and to the NW corner of said Section 14; thence run northeasterly in a straight line across Sections 11, 2 and 1, Township 7 South, Range 8 East, thence continue northeasterly on said straight line across Section 36, Township 6 South, Range 8 East; thence continue on said straight line across Sections 31, and 30, Township 6 South, Range 9 East and to the NE corner of said Section 30, which is also the NW corner of Section 29, Township 6 South, Range 9 East, the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA DEKALB COUNTY

BEFORE ME, Mary Ruth Brown, A Notary public in and for the State of Alabama at Large, personally appeared Charles E. Hurley, who being by me first duly sworn, deposes and says: That he is General Manager of the TIMES-JOURNAL, which, during the times herein mentioned, was a newspaper of general circulation, published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the State of Alabama, in said newspaper, in the issues thereof, published successively on November 29, December 6, 13 & 20, 1966.

CHARLES E. HURLEY.

Sworn to and subscribed before me this the 2nd day of March, A. D., 1967.

MARY RUTH BROWN,
Notary Public.

By Mr. Young (with notice and proof):

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 62:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
RANDOLPH COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said town, in addition to the territory now within such corporate limits, the following described territory:

The Southwest quarter of the Northeast quarter of Section 17; the Southeast quarter of the Southeast quarter of Section 8; the Southeast quarter of the Southwest quarter and the East Half of the Northeast quarter of Section 16; and the Southwest quarter of the Northwest quarter of Section 15, all in Township 19, South, Range 12, East in Randolph County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 19, Jan. 26, Feb. 2, and Feb. 9, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me Feb. 9, 1967.

TURNER L. POOLE,
Clerk, Circuit Court.

By Mr. Stubbs:

H. 63. Relating to prisoners; providing for forfeiture of good-time allowances and extension of sentences of certain recalcitrant county convicts.

Judiciary.

By Mr. Smith (P):

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Local Legislation No. 1.

By Messrs. Smith (P), and Bolton:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Ways and Means.

By Messrs. Pruitt and Pennington:

H. 66. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

Ways and Means.

By Mr. Pruitt:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

Ways and Means.

By Messrs. Thomas, Pruitt, Merrill, Pennington, Bowers, Adwell, Drake, Owens (W.E.), Mathews, Crawford, McDonald, Collins (W), Graham, House, Culver, Bank, Brown and Smith (P):

H. 68. To make an appropriation to the State Department of Mental Health.

Ways and Means.

By Messrs. Thomas, Pruitt, Merrill, Pennington, Bowers, Adwell, Drake, Owens (W.E.), Mathews, Crawford, McDonald, Collins (W), Graham, House, Culver, Bank, Brown and Smith (P):

H. 69. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

Ways and Means.

By Messrs. Thomas, Bank, Brown and Culver:

H. 70. To create Offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such offices.

Ways and Means.

By Messrs. Culver, Bank, Thomas and Brown:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Judiciary.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Local Legislation No. 1.

Notice and Proof H. 72:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section (1) In Walker County, no public school or school board of trustees or school district shall be required or permitted to contribute from public subscriptions or sales or any merchandise any sums of money for payment of utility bills incurred by any public school under the supervision and control of any school board of trustees located within any school district within said county. All utility bills including bills for lights, electrical power, heating fuels and janitorial supplies shall be forwarded to and paid by the county board of education from public school funds.

Section (2) The provisions of this act shall not affect any rights, liabilities and duties that matured, penalties that were incurred or proceedings that were begun prior to the effective date of this act.

Section (3) The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section (4) All laws or parts of laws which conflict with this Act are repealed.

Section (5) This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 11, Jan. 18, Jan. 25, and Feb. 1, all in the year 1967.

CARMON A. PARSONS.

Sworn to and subscribed before me March 1, 1967.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Local Legislation No. 1.

Notice and Proof H. 73:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act. No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 103, H. 372, Regular Session 1963, approved June 27, 1963, an act fixing the compensation of the county superintendent of education of Walker County (Acts 1963, v. 1, p. 486) is hereby amended to read as follows:

"Section 1. The superintendent of education of Walker County shall be entitled to receive for the performance of his duties an annual salary of \$12,000 and such other allowances as may be prescribed by law, which salary shall be paid in equal monthly installments out of the public school funds of the county."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 1, Feb. 8, Feb. 15, and Feb. 22, all in the year 1967.

CARMON A. PARSONS.

Sworn to and subscribed before me Feb. 28, 1967.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Local Legislation No. 1.

Notice and Proof H. 74:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the salary of the secretary of the sheriff of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The secretary of the sheriff of Walker County, whose employment is authorized under the provisions of Act No. 63, H. 67, Second Special Session 1963 (Acts 1963, p. 224), shall be entitled to receive an annual salary of \$3,600 which shall be paid from the county treasury in twelve equal monthly installments.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carolyn Martin of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 5, 1967 January 12, 1967 January 19, 1967 January 26, 1967

THE DAILY MOUNTAIN EAGLE,
Carolyn Martin.

Sworn and subscribed to before me, This 1 day of March, 1967.

R. W. BOTELER, JR.,
Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 6. WHEREAS Charles "Pete" Mathews, an illustrious graduate of Jacksonville State Teachers College now known as Jacksonville State University, was an outstanding player on the football and baseball teams there before his graduation in 1939 and has since then been a close follower and avid supporter of these teams; he is a prominent member of the Alumni Association, in which organization he was selected as Alumnus of the Year in 1963, and has contributed much time and effort towards development of this fine institution; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new baseball field at Jacksonville State University shall be named, designated and known as the "Pete Mathews Field" in honor and appreciation of the invaluable service Senator Mathews has rendered the school through the years.

RESOLVED FURTHER, That a copy of this resolution shall be sent to Dr. Houston Cole, President of Jacksonville State University.

On motion of Mr. Merrill the rules were suspended and H. J. R. 6 was adopted.

Also:

By Mr. Malone:

H. J. R. 7. Whereas during his term of service as Director of the Alabama School of Trades, Gadsden, Alabama, Mr. E. L. Darden has worked with diligence and unswerving loyalty to further the cause of rehabilitating the handicapped and has contributed greatly to the development of the Gadsden Rehabilitation Center; and

Whereas, Without his devoted efforts and leadership the Gadsden Rehabilitation Center would not have been as fully developed as it is today;

Now, Therefore, Be It Resolved By the Legislature of Alabama, Both Houses Thereof Concurring, That the Gadsden Rehabilitation Center which includes the buildings housing the evaluation center and workshop projects and the new building housing the facilities of the sheltered workshop be named the E. L. Darden Rehabilitation Center in his honor.

On motion of Mr. Malone the rules were suspended and H. J. R. 7 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Committee of two members of the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That said Committee ascertain from Her Excellency if she desires to address a Joint Session of the Legislature and if she does so desire, to further ascertain the time most suitable to her for such address.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. McCarley and Folsom.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 1 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Joint Session of the Legislature be held at 7:30 o'clock tonight for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED That a Committee of two members from the Senate, to be named by the President and Presiding Officer of the Senate, and three members from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise her that the two Houses will meet in Joint Session at the hour named above for the purpose of receiving her message, and that said

Committee also serve as a Committee to escort the Governor to the Hall of the House of Representatives for the Joint Session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. McCarley and Folsom.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 2 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Money:

H. J. R. 8. WHEREAS the Alabama Highway Department was notified by the United States Bureau of Public Roads on November 13, 1966 that federal funds were being withheld from the several states pursuant to the presidential cut-back program initiated because of national expenditures for the war in Vietnam and for the purpose of combating inflation; and

WHEREAS Alabama had carried over from previous years available funds of approximately sixty-nine million dollars in anticipation of a much needed highway building program and in reliance upon matching federal funds being made available to this State for such purposes; and

WHEREAS federal funds which will be made available to Alabama for the fiscal year 1968 will amount to sixty-eight million dollars rather than the previously authorized amount of ninety-two million dollars; and

WHEREAS these funds are not lost to the State nor are they withdrawn but are only being temporarily withheld; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the President of the United States to release to the State of Alabama those funds which are being temporarily withheld from this State and for which there is a dire need at this time.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States, and to each member of the Alabama Congressional delegation who is urged to use every means available to prevail upon the President of the United States to release the said funds to this State.

On motion of Mr. Money the rules were suspended and H. J. R. 8 was adopted.

Also:

By Messrs. Edington, Collins (W), Collins (C), Owen, Downing, Perloff, Brannan, Grayson, Smith (C) and Neville:

H. J. R. 9. WHEREAS, the Federal Monitor TECUMSEH was sunk on August 5, 1864 in the fateful battle of Mobile Bay by a Confederate Torpedo (Mine); and

WHEREAS the TECUMSEH was at that time one of the most modern "ironclad" steam powered warships in existence and is the only known salvageable vessel of this unique class; and

WHEREAS the Ship has recently been located on the bottom of Mobile Bay; and

WHEREAS this gallant vessel earned its fame in the Battle of Mobile Bay and is of the greatest significance to the area and ought to be retained in and exhibited near this site of its fame;

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that there is hereby created a special legislative committee to be known as the "TECUMSEH Committee" which shall have the express power and duty to examine in depth the matter of the proposed raising of the TECUMSEH; to make a study of all details of said proposed raising; to investigate the possibility and feasibility of retaining the ship in Alabama if the same be successfully raised; and report to the Legislature and governor at the next session, regular or special, its findings, conclusions and recommendations regarding the feasibility and practicability of the retention of said warship within the general area of the Battle of Mobile Bay.

The "TECUMSEH Committee" shall consist of two members of the House to be appointed by the Speaker of the House, (one from Mobile County and one from Baldwin County) and one member of the Senate from Mobile County to be appointed by the Lt. Governor. The director of the State Department of Archives and History shall be an ex-officio member of the Committee. The Committee may employ such clerical, technical and expert assistants as the committee may find necessary for the proper performance of its duties. The members of the Committee shall be entitled to reimbursement for any actual out-of-pocket expenses incurred in connection with the work of the Committee, and for the payment of same there is hereby appropriated from legislative funds the sum of \$2,500.00, or so much thereof as may be duly required.

On motion of Mr. Edington the rules were suspended and H. J. R. 9 was adopted.

Also:

By Messrs. Smith (C), Edington, Grayson, Hogan, Perloff, Marr, Collins (W), Collins (C) and Wood:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with deep regret and profound sorrow the death of Mr. Owen Downing, brother of our beloved colleague from Mobile County, and extend our sincere sympathy to Representative Downing and the members of his family for their great loss.

On motion of Mr. Smith (C) the rules were suspended and H. J. R. 10 was adopted.

Also:

By Messrs. McDonald, Starnes, Snodgrass and Jones:

H. J. R. 11. WHEREAS the United States Post Office performs a public service which is indispensable to the economy, welfare and happiness of this nation; and

WHEREAS the Post Office Department is unique in its organization and legal structure as well as in its method of operation. Although

many of its appointments are political plums which are sinecures for life, it cannot set its own rates, nor the wages and hours of its employees. Congress has voted postal pay increases totaling 25% since 1961, which have added more than one billion dollars to the department's annual operating costs while this additional sum has been only fractionally off-set by a rate increase during this time which has brought in approximately 600 million dollars a year; and

WHEREAS the number of pieces of mail handled by the Post Office Department has increased from 69.6 billion pieces in 1964 to 75.8 billion pieces in 1966, with an estimated number of 80 billion pieces this year, it seems inevitable that the cost will continue to rise at an ever increasing pace; and

WHEREAS the rising tide of junk mail which accounts for a large proportion of the increasing flow of mail is handled at a bulk rate below the actual cost of handling and constitutes no more than a nuisance to the average household or other recipient. Such mail which is burdensome to post office employees and mail carriers is unsolicited, unwanted, and is most often removed from clogged mail boxes and deposited unopened in overflowing garbage cans; and

WHEREAS no business organization can expect to exist with continuing deficits and it is obvious that something must be done to increase rates or to cut costs of operation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body opposes any increase in postal rates for first class mail and urges the enactment of legislation which will provide that the rates charged for all second, third, and fourth class mail shall be in accordance with the cost incurred in handling such mail, with special consideration being given to the rates for newspapers and magazines in recognition of their importance to the national welfare.

BE IT FURTHER RESOLVED That copies of this resolution shall be sent to the President of the United States, to the Postmaster General, to each member of the Alabama Congressional Delegation and to each member of the appropriate committee in the respective Houses of the Congress.

On motion of Mr. McDonald the rules were suspended and H. J. R. 11 was adopted.

JOINT SESSION

The hour of seven thirty o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 2 heretofore adopted for the purpose of hearing an address by Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama.

The joint session was called to order by the Honorable Albert P. Brewer, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered in person the following message:

Lieutenant Governor Brewer, Mr. Speaker, Members of the Alabama Legislature.

You have been called into extraordinary session for the main purpose of considering ways and means for continuing the greatest highway program in the history of our State.

Before we consider this subject, let me touch briefly on other matters included in the call.

First, I recommend that you enact legislation to require banks to pay to the State of Alabama a reasonable rate of interest on all State funds held on deposit by such banks over a certain period of time.

I am pleased to report that the Alabama Bankers Association has agreed to jointly sponsor with us the appropriate legislation to implement this purpose. I commend the Association and its membership.

I am advised that the bank interest legislation will recover for the State of Alabama over 4 million dollars a year in revenues never before realized.

It is my hope that during the regular session which begins in May you will give serious consideration to appropriating a portion of the bank interest revenue to meet the obvious needs of our mental institutions.

As you know, I toured Bryce and Partlow last Friday. The need is heartrending. Together we can do our duty for the unfortunate children and adults in these institutions.

I recommend also that you consider in this session a 5 per cent cost-of-living salary increase for State Merit System employees. I am convinced that the need is real and that you will agree after having considered reasons advanced by the State Personnel Board.

It is also recommended that the statutory maximum salary for Merit System employees be adjusted, so that employees now precluded under their respective classifications by reason of special competence and bracket limitations may also benefit by the suggested cost-of-living increase.

In addition, you will recall that employees of our state mental institutions were brought under protection of the Merit System by legislation enacted in 1965. It is now imperative that we appropriate funds to provide the money to pay salary schedules and periodic increments under Merit System classifications.

You will recall also that in the last session of Congress legislation was enacted which provided that daylight saving time would go into effect from the last Sunday in April until the last Sunday in October of each year unless the separate states choose to exempt themselves from this time change.

This question presents many complex problems. You will naturally want to consider the actions taken by adjoining states as well as the effect of a time change on all aspects of the social and economic life of Alabama with particular reference to school children, farmers and businessmen.

There are sound reasons both in favor and in opposition to the change. The importance of the issue suggests the wisdom of public hearings to afford an opportunity to all who may feel so inclined to present reasons for and against the daylight saving proposal. It will require of you a Solomon-like balancing of interests and it will not be an easy decision to make.

In 1963, before this Legislature, my husband pledged strict adherence to the competitive bid laws. This pledge was fulfilled and I am proud. Competition was encouraged among suppliers by maintaining at all times impartial insistence on the principle of securing the best value for each tax dollar expended.

The results are evidenced by quickly referring to the present condition of the State General Fund. The General Fund was in proration at the beginning of my husband's Administration. It had a healthy \$4,344,000 balance at the close of business on September 30, 1966.

Through competitive bidding, our Junior College and Trade School system was equipped at 25 per cent less than the original estimates of equipment cost. During the four-year period, our Highway Department saved over \$900,000 per year on road maintenance material alone—a savings to the State of Alabama of three and one-half million dollars.

We have an obligation to all the people of our State to provide assurances that their tax dollar is spent with wisdom and prudence.

In the special call, I have requested that you pass legislation establishing competitive bid procedures for all local governing bodies, all boards of education and all state institutions of higher learning not presently covered. I am certain that we can count on local officials to join in supporting this responsible legislation.

I would like for this Legislature to consider memorializing Congress under Article 5 of the Constitution of the United States to propose a constitutional amendment which would provide for direct grants of revenue from the federal government to the states with no strings attached.

My husband discussed this matter at length and in detail with other Governors at the last National Governors' Conference during his Administration. Many Governors are very much interested in the proposed amendment and it is being considered in several states at the present time.

The federal government has entered so many areas of taxation, which were normally the exclusive domain of state and local governments, that it has become increasingly difficult for the states to raise needed revenues to furnish necessary governmental services. The passage of the Revenue Sharing Amendment would be a major step toward return to our constitutional form of government.

I would now like to discuss with you the primary purpose for my calling you into special session at this time.

As mentioned in my earlier address to you on January 17, it is imperative that you give consideration to the matter of providing sufficient funds for the continuation and completion of the highway program now underway in this State. I stated at that time that a special session would be held for such purposes.

In my opinion, this matter is of paramount importance to every citizen of the State of Alabama. There are two primary factors here involved—these being, first, the economy of our State and, secondly, the safety and convenience of travel for our citizens.

It is undisputed that commerce, industry, business and population follow the highways of travel. In the earlier days of this Nation, its people and its business establishments settled along the waterways. Later, with the development of rail transportation, business and industry migrated to the rail centers and along these routes of travel. Today we find these same centers of industry and population grouped

along the great highway systems of this Nation. Economic prosperity follows the highways of commerce as surely as night follows the day.

We have had this gratifying experience in our own State during the past four years. We have enjoyed an unprecedented period of industrial development and expansion which has brought increased benefits to all of our citizens. We have seen our State move to the front in the Southeast in industrial development and expansion. In my judgement, this progress has been directly related to the accelerated road and highway program undertaken during the last four years.

I feel that this program must continue. We want Alabama to continue to move forward in the field of industrial development and economic prosperity. To do so, we must provide means for the development and transport of her tremendous natural resources and the movement in commerce of the products of her abundant labor market.

The major portion of the funds realized from the bond issue which I will propose to you will be devoted to matching available federal funds at a 9 to 1 ratio for the purpose of completing connecting links in our interstate system. Much of this work must be done in the metropolitan areas joined by our interstate system. When completed, this road system will result in increased benefit to both the rural and urban population of Alabama. It will facilitate the movement of business and commerce in and between various areas of our State and will attract into Alabama an increased flow of tourist trade which will result in a greater influx of dollars into our economy.

Of equal importance is the safety and convenience of our citizens and visitors as they travel highways of the State. Obviously, the adequacy or inadequacy of our road system determines the scope of death and destruction on our highways. The records of the Department of Public Safety conclusively prove this fact and I am firmly of the opinion that the prompt completion of the interstate system of four-lane highways connecting the major points of population in the State would save untold lives of fellow Alabamians and others traveling through the State of Alabama.

The increasing need for highway safety is further emphasized by the fact that motor vehicle registration in this State continues to increase at an average of more than 7 per cent annually and "travel-miles" continue to increase by a like percentage. All of this clearly indicates that this matter of human life and safety cannot be overlooked as all of the citizens of this State are users of our highway system to a greater or lesser degree.

This brings us to the matter of the present need of our Highway Department from a dollars and cents standpoint. This is certainly information which you should have.

Our highway officials have determined that for the four years of this Administration, to match available federal money and to continue the present program on the state systems only, without aid to counties or cities, will require a minimum of \$150,000,000 in additional revenue. If we are to provide any assistance to our cities and counties from State sources and, in any wise, project our state program above absolute minimum requirements, it is obvious that at least \$160,000,000 additional revenue should be provided through the issuance of revenue bonds. I would ask that you give consideration to providing these funds. If they be made available and utilized wisely and efficiently in the matching programs available, we may project a highway program for the next four years in excess of one billion dollars, the largest in the history of the State of Alabama.

Appropriate legislation has been prepared and will be introduced to carry this proposal into effect. I am pleased to tell you that the program suggested to you can be accomplished without the imposition of additional taxes.

This is made possible through the utilization of a portion of the presently existing state gasoline tax for the purpose of repayment of this bonded indebtedness. Details of this proposal will be found in the legislation introduced, but, essentially, it will provide that the one-cent portion of the state gasoline tax now utilized by the State and counties be pledged for the retirement of this indebtedness, along with the residue of the State's portion of the gasoline tax. We are advised by competent and experienced bond counsel that this would be sufficient to underwrite this indebtedness and to produce an "A" rated security which should find favor in the bond market.

I offer this suggestion of accomplishing this program without additional taxation in the anticipation that you will find this course of action more appealing than would be an increase in gasoline or highway user tax at this time. I solicit and urge your earnest consideration of this method of financing the needs of the state highway program.

I feel that it would be appropriate to offer to you some constructive program of road and street construction and maintenance for the municipalities of this State.

As you are perhaps aware, these cities and towns received \$20,000,000 during the last four years from State sources for this purpose. This program was funded, in large part, from the bond issue of 1963. No such provision is made in the currently proposed bond issue as almost the full amount of this issue is required for financing the state program. It is also desirable that the municipalities be afforded a stable and continuing source of revenue rather than being required to depend upon the wishes and whims of each administration.

With the view in mind of stabilizing this program for our municipalities, I am proposing to you a program and appropriate legislation will be introduced whereby more than \$5,000,000 annually will be made available to the municipalities of the State. This revenue will be raised through an increase of \$3.00 in the cost of each motor vehicle license.

As you are well aware, this State has one of the lowest license costs in the United States and such has been the case since 1951. An increase of \$3.00 in the cost of each of these licenses will still leave the cost of motor vehicle licenses in the State of Alabama among the lowest in the Nation. As you will observe, at a cost of less than one cent per day to motor vehicle operators in this State, we will be able to produce a well-financed and stabilized road program for our municipalities. This seems little to ask. I might point out again, and as earlier noted, motor vehicle registration in this State continues to increase at a rapid pace and each progression will result in additional money for our municipalities.

I am fully aware of the situation existing in some of our more populous counties as regards their road and bridge programs. In an effort to be of some assistance, I would propose to you legislation whereby any residue remaining after payment of debt service from the one-cent portion of the gasoline tax pledged to the retirement of the bonds mentioned above be distributed to the counties on a population basis.

I would further propose that any increase in the three-cent portion of the state gasoline tax allocated to our counties, after the present year, be distributed to the counties on a population basis rather than a

pro rata basis. Appropriate legislation is being introduced to carry this proposal into effect. With these revenue sources available to them, the counties should be able to proceed in an orderly manner and without disruption in their road and bridge programs and the more populous counties should soon begin to feel the impact of the receipt of additional moneys from the increased collections from the gasoline tax.

In short, we intend to continue the farm-to-market program during the next four years and I can assure you and the people of the State that this wonderful program will continue.

I believe that all of the above proposals are sound and workable—that we are offering a responsible and orderly program.

I ask that you approve the issuance by the Alabama Highway Authority of an additional \$160,000,000 in revenue bonds of the Authority.

Historically, these securities have been attractive investments and have marketed well and at an exceptionally favorable interest rate. As noted, we are advised by competent and experienced bond and investment counsel that such should continue to be the case.

I also ask your further consideration of the program which I have proposed for the municipalities and counties of this State and ask that you give serious study to each of these. I believe that this program is designed to accomplish the greatest good for the greatest number of Alabamians at the absolute minimum cost to each and that this Legislature, through the adoption of this program, will have taken a giant step forward in the completion of one of the finest road systems to be found in any state of this area or, in fact, this Nation.

I trust that you share my views that the economic welfare and the safety and convenience of all of our citizens are directly related to this program.

I thank you for your attention and assure you of my full cooperation in your endeavor.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Garrett:

H. J. R. 12. Proposing an Amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Article XVIII, Section 284 of the Constitution of Alabama, as amended, shall be further amended by striking out the second sentence thereof and inserting in lieu of such sentence the following sentence: The proposed amendments shall be read in the house in which they originate on three several days, and, if upon the third reading three-fifths of all the members elected to that house shall vote in favor thereof, the proposed amendments shall be sent to the other house, in which they shall likewise be read on three

several days, and if upon the third reading three-fifths of all the members elected to that house shall vote in favor of the proposed amendments, the legislature shall order an election by the qualified electors of the state upon such proposed amendments, to be held either at the general election next succeeding the session of the legislature at which the amendments are proposed or upon the day appointed for holding the next statewide primary, not less than one month after the final adjournment of the session of the legislature at which the amendments were proposed.

RESOLVED FURTHER, That an election is ordered to be held by the qualified electors of the state upon this proposed amendment on the first Tuesday in May, 1968. Notice of the election shall be given by proclamation of the Governor, which shall be published in every county in a newspaper published therein, for four successive weeks next preceding the day appointed for the election. The result of such election shall be made known by proclamation of the Governor. Upon the ballots used at the election the substance or subject matter of the proposed amendment shall be so printed that the nature thereof shall be clearly indicated. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately after that shall be printed the word "No."

H. J. R. 12 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Merrill:

H. J. R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday March 7, 1967.

On motion of Mr. Merrill the rules were suspended and H. J. R. 13 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 4. Relative to binding the printed Journals and Acts of the two Houses of the Legislature.

Also:

H. J. R. 5. Mourning the death of Honorable Charlie Herman Brown, from Tuscaloosa County.

Also:

H. J. R. 6. Naming the new baseball field at Jacksonville State University the "Pete Mathews Field".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 7. Naming the Gadsden Rehabilitation Center the "E. L. Darden Rehabilitation Center".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwyn:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall be allowed an additional three hundred dollars a month for expenses incurred in the performance of his duties, to be paid at the end of each month during his term.

RESOLVED FURTHER, That this order shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the rules were suspended and the House concurred in and adopted the S. J. R. 4 set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN LOST

The motion of Mr. Merrill that the House adjourn until Friday, March 3, 1967, at nine o'clock A. M. was lost.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned until Friday, March 3, 1967, at nine thirty o'clock A. M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, March 3, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Agee | Drake | Kilgore | Pruitt |
| Bank | Edington | Laxson | Sessions |
| Bassett | Ellis | Lemley | Shumate |
| Beck | Fine | Lybrand | Slate |
| Berryman (R) | Foshee | Malone | Smith (C) |
| Berryman (W) | Gafford | Manley | Smith (P) |
| Bowers | Garrett | Marr | Snodgrass |
| Brannan | Gloor | Mathews | Springer |
| Brassell | Graham | Mays | Starnes |
| Burgess | Grayson | McCorquodale | Steagall |
| Burgreen | Hain | McDonald | Stembridge |
| Cameron | Hardin | McElhaney | Stubbs |
| Cherner | Harper | McLain | Thomas |
| Collier | Harris | Meade | Tuck |
| Collins (C) | Haygood | Meeks | Turnham |
| Collins (W) | Headley | Merrill | Watkins |
| Cook (Coffee) | Higginbotham | Money | Weeks |
| Cook (Jefferson) | Hill | Neville | Williams |
| Crane | Hobbie | Owen (Baldwin) | Wood |
| Crawford | Hogan | Owens (W) | Wright |
| Culver | Holman | Owens (W.E.) | Yeilding |
| Dill | House | Pearson | Young |
| Dobbs | | | |

—97

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

H. 60 RE-REFERRED

The Speaker re-referred the bill, H. 60, from the Standing Committee on Ways and Means to the Standing Committee on Agriculture.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain

causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

H. 38. Relating to Dale County; providing for the time of closing county offices.

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

H. 13. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; to provide further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Meade and Beck:

H. 75. To make a conditional appropriation to the Bureau of Publicity and Information to be used for the attraction of tourists.

Ways and Means.

By Messrs. Collier, Pearson and Headley (with notice and proof):

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Local Legislation No. 1.

Notice and Proof H. 76:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 per cent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. This Act supersedes Act No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19-67, all in the year 1966-67.

JOHN P. HARRIS.

Sworn to and subscribed before me February 2, 1967.

MRS. ELLEN T. HARRIS,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 per cent.

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Section 3. This Act supersedes Act. No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

AFFIDAVIT OF PUBLICATION

THIS IS TO CERTIFY that the attached Legal notice appeared in The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama, for 4 consecutive issues, namely those of December 29, 1966, January 5-12-19, 1967.

The Prattville Progress, in which the attached advertisement was carried, has a general circulation in the county in which it is published, which newspaper has been mailed under second-class mailing privileges for 52 consecutive weeks prior to the publication of the said Legal Notice.

JAMES G. MARTIN,
Publisher.

Sworn to and subscribed before me, this 30th day of January, 1967.

LINDA H. BREEDLOVE,
Notary Public.

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama: authorizing the district attorney of said circuit to appoint a secretary, and

providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 percent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. This Act supersedes Act No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in it's issues of: 29Th day of December, 1966; 5Th day of January, 1967; 12Th day of January, 1967; 19Th day of January, 1967.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 2nd day of February, 1967.

PLUMA B. MUNCY,
Notary Public.

By Messrs. Drake and Downing:

H. 77. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Albea:

S. J. R. 3. WHEREAS Miss Ada Curtiss was instrumental in the establishment of the present music department at Jacksonville State University, was the head of that institution's music department from 1919 to 1950, organized the college's first band and first choral group, and during her tenure taught thousands of students who became teachers who have passed on their talents to tens of thousands of other students; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new women's dormitory at Jacksonville State University be named, designated and known as "Ada Curtiss Hall" as a fitting tribute to Miss Curtiss.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 3 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 5. WHEREAS Fort Morgan, located on a narrow peninsula bounded on one side by the Gulf of Mexico and on the other by Mobile Bay, is a veritable mecca, which attracts many tourists to Alabama; and

WHEREAS, no spot in Alabama is more beautiful or of more historical significance than this narrow finger of land extending west between Mobile Bay and the Gulf of Mexico for: here most likely is where the white man first put foot on this continent, since it is highly probable that a Welshman, Prince Madoc, landed here more than three hundred years before Columbus was born; here nearly five hundred years ago Isabella DeSoto waited in vain for her adventurer-husband who would never return after his discovery of the Mississippi; here stands a fort (thought to be a copy of the five-pointed star Fort of Italy, designed early in the sixteenth century by Michelangelo), over which the flags of seven nations have proudly waved, and from which were fired the volleys which sank the British flagship, *Hermes*, and here Admiral Farragut issued his famed command, "Damn the torpedoes! Full speed ahead!"; and

WHEREAS, for many decades this historic spot was abandoned and during this time the semi-tropical vegetation of the area covered this magnificent old building and its many items of historic interest, converting this beautiful peninsula into a snake-infested jungle; and

WHEREAS, the fact that Fort Morgan is now a well-kept tourist attraction instead of an inaccessible ugly ruin is due in large measure to Mr. Hatchett Chandler, a native Montgomerian, who in ill health many years ago went to this beautiful spot in his own words, "there to die"; but who since then has devoted his life to promoting the restoration of Fort Morgan and its establishment as a state shrine; and

WHEREAS, Mr. Chandler has spent innumerable hours in historical research relative to this little finger of land and its important role in the development of this country, in urging officials to return and keep on display at Fort Morgan numerous items which were intimately associated with the fort or events which transpired here, in writing and publishing articles telling the world about Fort Morgan and its part in our history, and even in doing much of the back-breaking manual labor involved in clearing the jungle from around the towering oleander trees, which, he firmly believes, Isabella DeSoto planted; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby acknowledge with grateful appreciation the tremendous amount of time and effort that Mr. Chandler has put into promoting the restoration of Fort Morgan, in identifying and marking the items of historic interest there and in compiling and publicizing information about Fort Morgan and its attractions. His dedication to this project has redounded to the State of Alabama. The fact that Fort Morgan is now a popular tourist mecca is, in fact, a testimonial of Mr. Chandler's persistent and vigorous interest in maintaining and preserving for posterity this fascinating bit of Alabama's history. As representatives of all the people of Alabama, we hereby say: Thank you, Mr. Chandler, for a job well done.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owen the rules were suspended and the House concurred in and adopted the S. J. R. 5 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Slate, Doss, Berryman (R) and Burgreen:

H. J. R. 14. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that,

WHEREAS, Carlos Nelson of Limestone County departed this life during the month of February, 1967, and

WHEREAS he spent fourteen years as a dedicated law enforcement officer for the State of Alabama in Limestone and Morgan Counties, and

WHEREAS, he was very active in civic work in his home county, and

WHEREAS he was a recognized leader in the field of youth activities, church and civic activities and a fine gentleman and a credit to law enforcement;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That this Legislature does mourn the untimely passing of this dedicated public servant;

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to the family of the said Carlos Nelson in Athens, Alabama and to the Decatur Daily and the Limestone Democrat newspapers.

On motion of Mr. Slate the rules were suspended and H. J. R. 14 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 4. Relative to the binding of the Journals and Acts of the Organizational Session, this Special Session and any other Special Sessions of the Legislature of 1967.

Also:

H. J. R. 5. Mourning the death of Charlie Herman Brown of Tuscaloosa County.

Also:

H. J. R. 6. Relative to naming the baseball field at Jacksonville State University the "Pete Mathews Field".

Also:

H. J. R. 7. Relative to naming the Gadsden Rehabilitation Center the E. L. Darden Rehabilitation Center.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:13 A. M. On March 3, 1967

H. J. R. 4

H. J. R. 5

H. J. R. 6

H. J. R. 7

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned until Tuesday, March 7, 1967, at two o'clock P. M.

THIRD DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, March 7, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Charles Donahue, Minister, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Perloff |
| Adwell | Doss | Jones | Pruitt |
| Agee | Downing | Kilgore | Sessions |
| Bank | Drake | Lemley | Shumate |
| Bassett | Edington | Lybrand | Slate |
| Beck | Ellis | Malone | Smith (C) |
| Berryman (R) | Fine | Manley | Smith (P) |
| Berryman (W) | Foshee | Marr | Snell |
| Blanton | Gafford | Mathews | Snodgrass |
| Bolton | Garrett | Mays | Springer |
| Bowers | Gloor | McCorquodale | Starnes |
| Brannan | Graham | McDonald | Steagall |
| Brassell | Grayson | McElhaney | Stembridge |
| Brown | Hain | McLain | Stubbs |
| Burgess | Harper | Meeks | Thomas |
| Cameron | Harris | Melton | Tuck |
| Cherner | Haygood | Merrill | Turnham |
| Collier | Headley | Money | Waggoner |
| Collins (C) | Higginbotham | Neville | Watkins |
| Collins (W) | Hill | Owen (Baldwin) | Weeks |
| Cook (Coffee) | Hobbie | Owens (W) | Williams |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Wood |
| Crane | Holman | Paulk | Wright |
| Crawford | House | Pearson | Yeilding |
| Culver | Jackson (F) | Pennington | Young |
| Dill | | | |

—101

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Bassett leave of absence was granted to Mr. Hardin because of personal illness

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
 Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Owen (Baldwin):

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Judiciary.

By Mr. Snell:

H. 79. To provide for the deposit of money of the State in State Depositaries in demand deposits and in time deposits open account; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Ways and Means.

By Messrs. Hain, Owen (Baldwin), Blanton, Steagall and Bolton:

H. 80. To amend Section 3, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

Ways and Means.

By Mr. Williams:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic

Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Local Legislation No. 1.

By Messrs. Cook (Jefferson), Gloor, Adwell, House, Sessions, Bowers, McDonald, Wright, Cherner, Collins (W), Culver, Dobbs, Perloff, Starnes, Watkins, Owens (W.E.), Dill, Money, Jackson (T), Gafford, Yeilding, Waggoner, Holman, Meeks, Ellis, Crane, Kilgore, Lybrand, McElhaney, Bank, Beck, Headley, Smith (P), Foshee, Collier, Weeks, Lemley, Malone and Blanton:

H. 82. To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

State Administration.

By Messrs. Cook (Jefferson), Gloor, Adwell, House, Sessions, McDonald, Collins (W), Bowers, Cherner, Wright, Culver, Dobbs, Perloff, Starnes, Watkins, Owens (W.E.), Dill, Money, Jackson (T), Gafford, Yeilding, Waggoner, Holman, Meeks, Ellis, Crane, Kilgore, Lybrand, McElhaney, Bank, Beck, Headley, Smith (P), Foshee, Collier, Weeks, Lemley, Malone and Blanton:

H. 83. To amend Section 32 of Act No. 100, H. 94, Regular Session 1959 (Acts 1959, p. 298), the Alabama sales tax law, so as to dedicate the proceeds of the sales tax levied by such act on the sale, storage, use or other consumption, or distribution of gasoline used to propel commercial aircraft, when such gasoline is not otherwise taxed, to the state department of aeronautics or the Alabama aviation commission, as the case may be.

State Administration.

By Messrs. Cook (Jefferson), Gloor, Adwell, Bowers, Meeks, Yeilding, Holman, Lemley, Malone, Blanton and House:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

State Administration.

By Messrs. Cook (Jefferson), Gloor, Adwell, House, Sessions, Bowers, McDonald, Wright, Cherner, Collins (W), Culver, Dobbs, Perloff, Starnes, Watkins, Owens (W.E.), Dill, Money, Jackson (T), Gafford, Yeilding, Waggoner, Holman, Meeks, Ellis, Crane, Kilgore, Lybrand, McElhaney, Bank, Beck, Headley, Smith (P), Foshee, Collier, Weeks, Lemley, Malone and Blanton:

H. 85. To make annual appropriations from the general fund in order to provide for a stipulated unencumbered balance in the state airport development fund on the beginning of each fiscal year.

State Administration.

By Messrs. Kilgore, Bowers, Cherner and Meeks:

H. 86. To amend Section 647 of the Code of Alabama of 1940, as heretofore amended, so as to exempt incorporated municipalities within the State of Alabama from the payment of the State Gasoline Excise Tax.

Ways and Means.

By Messrs. Bowers, Meeks, Dill, Crane, Yeilding, Gafford, Jackson (T), Waggoner, Cherner, Ellis, Watkins, Holman, House, Weeks, Adwell, Gloor, Sessions and Kilgore:

H. 87. To amend Code of Alabama, Title 51, Sections 695 and 696, in relation to the license tax on certain motor vehicles.

Ways and Means.

By Messrs. Bowers, Adwell, Dill, Sessions, Meeks, Ellis, Jackson (T), Weeks, Watkins, Yeilding, Holman, Crane, Waggoner, Cherner, House, Gafford and Kilgore:

H. 88. To provide further for distribution and use of revenue derived from license taxes on motor vehicles and trailers; amending further Code of Alabama Title 51, Section 713.

State Administration.

By Messrs. Dill, Bowers, Adwell, Sessions, Meeks, Ellis, Jackson (T), Weeks, Waggoner, Watkins, Yeilding, Holman, Crane, House, Cherner, Gafford and Kilgore:

H. 89. To amend Section 1 of Act No. 315, H. 773, approved August 1, 1951, an act fixing the license and registration fee on certain motor vehicles.

Ways and Means.

By Messrs. Bowers, Gafford, Dill, Adwell, Gloor, Weeks, Meeks, Holman, Yeilding, Waggoner, Cherner, Ellis, Watkins, Sessions and Kilgore:

H. 90. To amend further Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for hire.

State Administration.

By Messrs. Bowers, Cherner, Ellis, Watkins, Holman, Weeks, Waggoner, Adwell, Gloor, Sessions and Kilgore:

H. 91. To amend Code of Alabama Title 51, Sections 697 and 703, relating to motor vehicle licenses.

Ways and Means.

By Messrs. Bowers, Dill, Meeks, Crane, Yeilding, Gafford, Jackson (T), Waggoner, Cherner, Ellis, Watkins, Holman, House, Weeks, Adwell, Gloor, Sessions and Kilgore:

H. 92. To amend further Act No. 44, H. B. 53, approved September 15, 1961, an act providing for a license tax on house trailers.

State Administration.

By Messrs. Bowers, Dill, Meeks, Crane, Yeilding, Gafford, Jackson (T), Waggoner, Cherner, Ellis, Watkins, Holman, House, Weeks, Adwell, Gloor, Sessions and Kilgore:

H. 93. To provide further for distribution and use of revenue derived from license taxes on motor vehicles and trailers; amending further Code of Alabama Title 51, Section 713.

Ways and Means.

By Messrs. Bowers, House, Adwell, Sessions, Dill, Meeks, Watkins, Waggoner, Weeks, Holman, Crane, Cherner, Gafford, Yeilding, Ellis and Kilgore:

H. 94. To amend further Section 13 of Act No. 590, H. B. 392, approved June 27, 1940 (General Acts 1939, p. 958), an act imposing an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels, so as to provide further for the disposition and use of the proceeds of such tax.

State Administration.

By Messrs. Bowers, Adwell, Sessions, Ellis, Jackson (T), Dill, Meeks, Waggoner, Yeilding, Weeks, Watkins, Holman, Crane, Cherner, Gafford and Kilgore:

H. 95. To provide further for distribution and use of the proceeds of state excise taxes on gasoline; amending further Code of Alabama Title 51, Sections 655, 656 and 657.

Ways and Means.

By Messrs. Bowers, Adwell, Sessions, Ellis, Jackson (T), Waggoner, Dill, Meeks, Yeilding, Weeks, Watkins, Crane, Holman, Cherner, Gafford and Kilgore:

H. 96. To amend Act No. 775, H. 40, approved September 19, 1953, (Acts 1953, v. ii, pp. 1046, 1047), an act fixing the license and registration fee on pick-up trucks.

Agriculture.

By Mr. Turnham:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Education.

By Mr. Fite (with notice and proof):

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Local Legislation No. 1.

Notice and Proof H. 98:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person, firm or corporation to use any steel trap or other similar device in Marion County,

Alabama, for any purpose whatsoever, except as herein expressly provided.

Section 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars for each offense.

Section 3. Provided, however, that any resident of this County may set such steel trap or similar device within the curtilage of his home.

Section 5. This act shall become effective on the approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 23, 1966; Dec. 30, 1966; Jan. 6, 1967; and Jan. 13, 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me March 6, 1967.

ROBERT H. THOMAS,
Notary Public.

By Mr. Fite (with notice and proof):

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

Local Legislation No. 1.

Notice and Proof H. 98:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I., p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I.,

p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966, be and the same is hereby amended to read as follows:

"Section 5. The judge of the Marion County Superior Court shall receive a salary of five hundred dollars per month payable out of the county treasury. In addition to the compensation provided herein, the judge of said court shall be entitled to receive the sum of one hundred dollars per month as reimbursement for expenses incurred by him in the performance of his duties as the judge of such court."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 23, Nov. 30, Dec. 7, and Dec. 14, all in the year 1966.

W. D. SMITH, JR.

Sworn to and subscribed before me March 6, 1967.

ROBERT H. THOMAS,
Notary Public.

By Messrs. Starnes, Drake and McDonald:

H. 100. To regulate further the office of judge of the circuit court of the twenty-seventh judicial circuit, to authorize and create an additional judgeship of the twenty-seventh judicial circuit, to be designated circuit judgeship number two, and to provide for the appointment and election, jurisdiction, powers, duties, authority and qualifications to fill such judgeship, and to render him liable to all the pains and penalties of other circuit judges of the State of Alabama; and to provide for and fix the salary of the judges of said circuit.

Ways and Means.

By Messrs. McDonald, Merrill, Edington, Beck and Drake:

H. 101. To create the Sesquicentennial Advance Study Committee; to provide for its membership, duties, and expenses; and to make an appropriation.

Ways and Means.

By Messrs. Downing, Marr and Grayson:

H. 102. To amend Title 51, Section 231, Code of Alabama, 1940, allowing State, counties, cities and towns to file suit to collect taxes and allowing tax collector of county to file in own name for taxes due such agencies for which they are responsible to collect the tax.

Ways and Means.

By Messrs. Downing and Grayson:

H. 103. To revise and amend Section 18 of Title 36 of the Code of Alabama of 1940 as amended, relating to "Right of Way" of motor vehicles.

Judiciary.

By Messrs. McDonald and Merrill:

H. 104. To provide for the Alabama Mission to Vietnam, to declare its purposes, and to provide for the appointment of its members; to authorize the mission to appoint an arrangements coordinator and to prescribe his duties; and to make an appropriation.

Ways and Means.

By Mr. Edington:

H. 105. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

Judiciary.

By Mr. Garrett:

H. 106. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Slate and Doss:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Local Legislation No. 1.

By Messrs. Smith (P), Harris and Hobbie:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Ways and Means.

By Mr. Cook (Coffee):

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period,

rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

State Administration.

By Messrs. Brown, Culver, Bank and Thomas:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

Ways and Means.

By Messrs. Bank, Culver, Brown and Thomas:

H. 111. To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373, of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Ways and Means.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 112. Relating to elections; further amending Code of Alabama 1940, Title 17, Section 172 as amended, to prescribe the time for opening and closing the polls on election day.

Local Legislation No. 1.

Notice and Proof H. 112:

A BILL
TO BE ENTITLED
AN ACT

Relating to elections; further amending Code of Alabama 1940, Title 17 Section 172 as amended, to prescribe the time for opening and closing the polls on election day.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 172 as amended is further amended to read as follows:

"Section 172. The polls must be opened at each place of voting in each precinct between the hours of eight and nine o'clock in the morning and kept open without intermission or adjournment until the hour of six in the evening and no longer; but in all counties which now have or which may hereafter have a population in excess of 500,000 according to the most recent or any subsequent federal decennial census, the polls must be opened at each place of voting in each precinct at the hour of seven o'clock in the morning and kept open without intermission or adjournment until the hour of seven o'clock in the evening, and any qualified elector entitled to vote at such polling place by such closing time shall be allowed to cast his ballot."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Jacqueline Gober, Bookkeeper of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 11, 1967 January 18, 1967 January 25, 1967 February 1, 1967

THE DAILY MOUNTAIN EAGLE,
JACQUELINE GOBER.

Sworn and subscribed to before me, This 6 day of March, 1967

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Local Legislation No. 1.

Notice and Proof H. 113:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: to amend Act. No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol I, p. 166).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 118, H. 436, approved July 12, 1957, entitled "An Act Relating to Walker County; providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act," (Acts of Alabama 1957, Vol I, p. 166) is hereby amended to read as follows:

"Section 6. The Board of Finance and Control of Walker County shall have all the jurisdiction and powers which are or may hereafter be vested in the courts of county commissioners, boards of revenue or like governing bodies of this State, except as otherwise in this Act provided; and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners, board of revenue or like county governing bodies of this State."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 12, 1967 January 19, 1967 January 26, 1967 February 2, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 6 day of March, 1967

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Local Legislation No. 1.

Notice and Proof H. 114:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Be It Enacted by the Legislature of Alabama:

Section 1. All school lunchroom managers, assistants and workers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Walker County shall each be paid not less than eight dollars (\$8) per day for each day actually engaged in the performance of their duties, and each janitor employed by any such county or city board of education shall be paid not less than two hundred dollars (\$200) per month for the performance of his janitorial duties.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 12, 1967 January 19, 1967 January 26, 1967 February 2, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 6 day of March, 1967

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Downing and Grayson:

H. 115. To amend Code of Alabama 1940, Title 51, Sections 655 and 657 relating to state revenue; to change the basis for distribution to counties of a portion of the proceeds of the state tax levy on the withdrawal, use, and consumption of gasoline in this state; and to provide for the apportionment thereof to the counties on the basis of certain ratios.

Ways and Means.

By Messrs. Cherner, Gloor, Adwell, Yeilding, Crane, Cook (Jefferson), Dill, Sessions, Bowers, Gafford, Waggoner, Meeks, Holman, House, Weeks, Watkins, and Ellis:

H. 116. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Paulk:

H. J. R. 15. WHEREAS Dr. Gilbert E. Fisher of Union Springs, Alabama, who helped develop the University of Alabama Medical College and Medical Center, and was the first chairman of its department of otolaryngology and bronco-esophagology in which fields he gained world-wide recognition; and

WHEREAS after having returned to his Bullock County estate in semi-retirement, Dr. Fisher learned of the great need among the victims of leprosy, and has for the past three years been serving the outcast lepers of North Thailand where his operating skill, direction, and teaching have brought relief and hope to a grateful people. He has also launched a "Village Program" with ten cured lepers on his team to do specific chores under his direction and to go into the remote and mountainous areas to reach victims of the disease who cannot get to the hospital; and

WHEREAS the loss of feeling in the extremities of lepers often results in injuries which lead to deformities or loss of limbs or death caused by gangrene or other infections; and

WHEREAS Dr. Fisher and others at McKean Leprosy Hospital in Chiengmai, Thailand have developed a micro-cellar footwear which is considered to be the greatest advance in fifty years for the prevention of complications of leprosy and the secret for early leprosy cure. Dr. Fisher is scheduled to appear before medical groups to demonstrate and discuss this footwear in Kuala Lumpur, Malaysia, Hong Kong, Taipei, Okinawa, and Tokyo and is receiving invitations from medical groups around the world to speak to them; and

WHEREAS Dr. Fisher will return to Alabama late in March to head a drive for essential clothing and other help for the destitute people who have been rejected by their own communist country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Dr. Fisher both for his skill and accomplishments in the field of medicine and for his dedication to the humanitarian cause which he has served with such heroism and unselfishness.

On motion of Mr. Paulk the rules were suspended and H. J. R. 15 was adopted.

Also:

By Messrs. Foshee and Jackson (F):

H. J. R. 16. Renaming the State Trade School located at Opp as the Douglas McArthur State Technical Institute.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state trade school located at Opp in Covington County shall be designated, named, and known as the "Douglas McArthur State Technical Institute," and appropriate markers shall be erected on the campus or premises of such institution by the authorities in charge thereof showing such designation.

RESOLVED FURTHER, That this resolution shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution of Alabama.

On motion of Mr. Jackson (F) the rules were suspended and H. J. R. 16 was adopted.

Also:

By Messrs. Turnham, Higginbotham and Brassell:

H. J. R. 17. A JOINT RESOLUTION NAMING A NEW DINING HALL AT AUBURN THE LEILA AVARY TERRELL HALL

WHEREAS Mrs. Leila Avary Terrell, a resident of Auburn since 1902 is known and loved by hundreds of Auburn University Alumni; for more than 50 years she roomed and fed Auburn students in her spacious home, serving as counselor and advisor to them; and

WHEREAS Mrs. Terrell, who celebrated her one hundredth birthday on October 27, 1966, is a living example of her belief that "your body may age but you stay young inside;" her youthful outlook, vivacity, and warm personality have endeared her to all who have been fortunate enough to be her friend; and

WHEREAS the Board of Trustees of Auburn University have unanimously recommended the naming of the new South Women's Dormitory Dining Hall for Mrs. Terrell; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mrs. Terrell's devotion and love toward these many Auburn University students, the dining hall described above, shall be designated, named and known as Leila Avary Terrell Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Terrell.

On motion of Mr. Turnham the rules were suspended and H. J. R. 17 was adopted.

Also:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 18. WHEREAS, death has claimed Walter D. Newman, a former member of this body, who throughout a long and outstanding career contributed much to his community, his state and his country through service as coach, teacher, high school principal, National Guard and Army officer, Mayor of Guntersville, Chamber of Commerce Secretary and businessman; and

WHEREAS, Mr. Newman was also an expert fisherman, whose cordiality to visiting fishermen and readiness to share with them his knowledge of the wide expanses of Guntersville Lake, including the hiding places of the big bass and the crappie therein, won a host of friends for Guntersville; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature learns with profound regret of the recent death of Mr. Newman and hereby extends sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, That an authenticated copy of this resolution be sent by the Clerk of the House of Representatives to his surviving widow.

On motion of Mr. Starnes the rules were suspended and H. J. R. 18 was adopted.

Also:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 19. WHEREAS Guntersville and the whole State of Alabama have suffered a great loss in the recent tragic death of an outstanding Negro citizen of Guntersville, Roosevelt Williamson, a real educator, who for many years had been principal of Lakeview High School and a forceful leader of his people, having taken an active part in his church, in the Masonic Lodge, in teachers organizations and in many community betterment programs, and who was serving at the time of his death on the board of directors of the Marshall-Morgan Community Action Committee, which handles the anti-poverty program in Marshall and Morgan Counties; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature laments the death of this valuable citizen and hereby extends sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, that an authenticated copy of this resolution be sent to his widow.

On motion of Mr. Starnes the rules were suspended and H. J. R. 19 was adopted.

Also:

By Messrs. Springer, Harris, Cameron, Hobbie and McElhaney:

H. J. R. 20. WHEREAS death came on February 28, 1967 to Mr. Tom McCord, outstanding civic worker, leader in the development and promotion of thoroughbred cattle, and one of the nation's greatest auctioneers; and

WHEREAS Mr. McCord's enthusiasm for his work, his devoted service to his community, his wit and personal charm endeared him to all who knew him; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That we express deepest regrets at the passing of Mr. McCord and extend sincerest sympathy to the surviving members of his family.

BE IT RESOLVED FURTHER, That the Clerk of the House shall send copies of this resolution to the family of Mr. McCord.

On motion of Mr. Springer the rules were suspended and H. J. R. 20 was adopted.

Also:

By Mr. Shumate:

H. J. R. 21. Requesting the State Textbook Committee and the State Board of Education not to authorize use of textbooks advocating or teaching Darwin's theory of evolution or atheism.

WHEREAS, these United States of America were established by deeply religious people, who "with a firm reliance on the protection of DEVINE PROVIDENCE" mutually pledged their lives, their fortunes and their sacred honor to each other, in the declaration by which they declared their independence from Great Britain;

WHEREAS, the firm belief of the people of this country in an Almighty God is further evidenced by the motto, "In God We Trust," which appears on all this nation's coins;

WHEREAS, many other evidences of the faith of the founders of this country in a deity may be found throughout the history of this country;

WHEREAS, in spite of all this evidence of the faith of the people of the United States in their Creator the Supreme Court has ruled that the reading of the Bible and the saying of prayers in public schools violates the Constitution;

WHEREAS, it is a generally accepted fact that peoples who lack faith in an Almighty God are a ready prey to advocates of anarchism, communism and other forms of government inimical to our kind of democracy, and that youth and students are particularly susceptible to exploitation and manipulation by these forces; and

WHEREAS, it is essential to the continuation of our democratic government that the youth of this country not lose faith in the power of a Supreme Being to rule this universe; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Textbook Committee and the State Board of Education of Alabama are hereby urged to exert every effort to assure that no textbook adopted for use or used in the public schools of this state belittles the power of a Supreme Being to rule the universe or contradicts or seriously questions the account of the origin of the world as it is described in the Holy Bible.

BE IT FURTHER RESOLVED, That the State Textbook Committee and the State Board of Education are particularly urged not to adopt or authorize the use of any textbook that indicates, advocates or teaches that Darwin's theory of evolution is a more acceptable explanation of the beginnings of man than the biblical account thereof or any book that encourages atheism.

Mr. Shumate moved to suspend the rules and adopt the resolution, H. J. R. 21.

Mr. Edington called for a division of the question.

Mr. Shumate then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 21, and said motion was lost.

Yeas 17; Nays 59.

Yeas:

| | | | |
|-------------|---------|--------------|----------|
| Mr. Speaker | Dobbs | Jackson (F) | Shumate |
| Agee | Ellis | Jackson (T) | Stubbs |
| Beck | Garrett | McCorquodale | Waggoner |
| Blanton | Gloor | Merrill | Young |
| Culver | | | |

—17

Nays:

| | | | |
|------------------|--------------|----------------|------------|
| Messrs.: | Graham | Malone | Pearson |
| Adwell | Grayson | Manley | Pennington |
| Berryman (W) | Hain | Marr | Perloff |
| Bowers | Harper | Mays | Pruitt |
| Brassell | Haygood | McDonald | Sessions |
| Cameron | Headley | McElhaney | Smith (P) |
| Cherner | Higginbotham | McLain | Snell |
| Collins (C) | Hill | Meeks | Snodgrass |
| Cook (Jefferson) | Hobbie | Melton | Springer |
| Crawford | Hogan | Money | Starnes |
| Dill | Holman | Neville | Stembridge |
| Doss | House | Owen (Waldwin) | Tuck |
| Downing | Jones | Owens (W) | Wood |
| Edington | Lemley | Owens (W.E.) | Wright |
| Foshee | Lybrand | Paulk | Yeilding |

—59

And the resolution, H. J. R. 21, was read and referred to the Standing Committee on Rules.

ELECTION

LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS

The House proceeded to hold an election for three members of the Legislative Committee on Public Accounts.

The following nominations were made from the floor of the House for members of the Legislative Committee of Public Accounts:

Messrs. Culver, Cherner and Springer.

The Speaker announced that Messrs. Culver, Cherner and Springer were unanimously elected.

UNANIMOUS CONSENT GRANTED

Mr. Merrill requested unanimous consent to add his name as a co-author of the bill, H. 17, and it was so granted.

BILLS ON THIRD READING

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Fine | Lybrand | Sessions |
| Adwell | Foshee | Malone | Smith (C) |
| Bassett | Garrett | Manley | Smith (P) |
| Beck | Gloor | Mathews | Snell |
| Berryman (R) | Graham | McElhaney | Snodgrass |
| Berryman (W) | Hain | Meeks | Starnes |
| Bolton | Harper | Melton | Steagall |
| Bowers | Haygood | Merrill | Stembridge |
| Burgess | Hill | Money | Stubbs |
| Cameron | Hobbie | Owen (Baldwin) | Tuck |
| Collier | Hogan | Owens (W) | Turnham |
| Collins (C) | Holman | Paulk | Waggoner |
| Cook (Coffee) | Jackson (F) | Pearson | Wright |
| Downing | Jackson (T) | Pruitt | Young |
| Drake | Lemley | | |

—58

And the bill:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

| | | | |
|--------------|-------------|------------------|----------|
| Mr. Speaker | Brannan | Collins (W) | Downing |
| Adwell | Brassell | Cook (Coffee) | Drake |
| Agee | Brown | Cook (Jefferson) | Edington |
| Bassett | Burgess | Crane | Ellis |
| Beck | Cameron | Crawford | Fine |
| Berryman (R) | Cherner | Culver | Foshee |
| Berryman (W) | Collier | Dill | Garrett |
| Bowers | Collins (C) | Doss | Gloor |

| | | | |
|--------------|--------------|----------------|------------|
| Graham | Jones | Money | Springer |
| Grayson | Lemley | Owen (Baldwin) | Starnes |
| Hain | Lybrand | Owens (W) | Steagall |
| Harper | Malone | Paulk | Stembridge |
| Harris | Manley | Pearson | Stubbs |
| Haygood | Marr | Perloff | Tuck |
| Headley | Mathews | Pruitt | Turnham |
| Higginbotham | Mays | Sessions | Waggoner |
| Hill | McCorquodale | Shumate | Watkins |
| Hobbie | McElhaney | Slate | Williams |
| Hogan | McLain | Smith (C) | Wood |
| Holman | Meeks | Smith (P) | Wright |
| House | Melton | Snell | Yeilding |
| Jackson (F) | Merrill | Snodgrass | Young |
| Jackson (T) | | | |

—89

And the bill:

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto in Baldwin County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhanev | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhanev | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|------------------|
| Mr. Speaker | Berryman (R) | Brassell | Collins (C) |
| Adwell | Berryman (W) | Brown | Collins (W) |
| Agee | Blanton | Burgess | Cook (Coffee) |
| Bassett | Bowers | Cameron | Cook (Jefferson) |
| Beck | Brannan | Collier | Crane |

| | | | |
|----------|--------------|----------------|-----------|
| Culver | Higginbotham | McCorquodale | Slate |
| Dill | Hill | McDonald | Smith (C) |
| Doss | Hobbie | McElhaney | Smith (P) |
| Downing | Holman | McLain | Snell |
| Drake | House | Meeks | Snodgrass |
| Edington | Jackson (F) | Melton | Starnes |
| Fine | Jackson (T) | Merrill | Steagall |
| Foshee | Jones | Money | Stubbs |
| Garrett | Kilgore | Neville | Tuck |
| Gloor | Lemley | Owen (Baldwin) | Waggoner |
| Graham | Lybrand | Owens (W) | Watkins |
| Grayson | Malone | Paulk | Williams |
| Hain | Manley | Pearson | Wood |
| Harper | Marr | Perloff | Wright |
| Harris | Mathews | Pruitt | Yeilding |
| Haygood | Mays | Sessions | Young |
| Headley | | | |

—85

And the bill:

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edgington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edgington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|-------------|------------------|----------|
| Mr. Speaker | Bowers | Collins (W) | Drake |
| Adwell | Brannan | Cook (Coffee) | Edington |
| Agee | Brassell | Cook (Jefferson) | Fine |
| Bassett | Brown | Crane | Foshee |
| Beck | Burgess | Culver | Garrett |
| Berryman (R) | Cameron | Dill | Gloor |
| Berryman (W) | Collier | Doss | Graham |
| Blanton | Collins (C) | Downing | Grayson |

| | | | |
|--------------|--------------|----------------|-----------|
| Hain | Lemley | Merrill | Snell |
| Harper | Lybrand | Money | Snodgrass |
| Harris | Malone | Neville | Starnes |
| Haygood | Manley | Owen (Baldwin) | Steagall |
| Headley | Marr | Owens (W) | Stubbs |
| Higginbotham | Mathews | Paulk | Tuck |
| Hill | Mays | Pearson | Waggoner |
| Hobbie | McCorquodale | Perloff | Watkins |
| Holman | McDonald | Pruitt | Williams |
| House | McElhaney | Sessions | Wood |
| Jackson (F) | McLain | Slate | Wright |
| Jackson (T) | Meeks | Smith (C) | Yeilding |
| Jones | Melton | Smith (P) | Young |
| Kilgore | | | |

—85

And the bill:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhanev | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|-------------|
| Mr. Speaker | Cameron | Fine | Hobbie |
| Adwell | Collier | Foshee | Holman |
| Agee | Collins (C) | Garrett | House |
| Bassett | Collins (W) | Gloor | Jackson (F) |
| Beck | Cook (Coffee) | Graham | Jackson (T) |
| Berryman (R) | Cook (Jefferson) | Grayson | Jones |
| Berryman (W) | Crane | Hain | Kilgore |
| Blanton | Culver | Harper | Lemley |
| Bowers | Dill | Harris | Lybrand |
| Brannan | Doss | Haygood | Malone |
| Brassell | Downing | Headley | Manley |
| Brown | Drake | Higginbotham | Marr |
| Burgess | Edington | Hill | Mathews |

| | | | |
|--------------|----------------|-----------|----------|
| Mays | Neville | Slate | Tuck |
| McCorquodale | Owen (Baldwin) | Smith (C) | Waggoner |
| McDonald | Owens (W) | Smith (P) | Watkins |
| McElhaney | Paulk | Snell | Williams |
| McLain | Pearson | Snodgrass | Wood |
| Meeks | Perloff | Starnes | Wright |
| Melton | Pruitt | Steagall | Yeilding |
| Merrill | Sessions | Stubbs | Young |
| Money | | | |

—85

And the bill:

H. 38. Relating to Dale County; providing for the time of closing county offices.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|-------------|--------------|--------------|----------|
| Mr. Speaker | Bassett | Berryman (W) | Brannan |
| Adwell | Beck | Blanton | Brassell |
| Agee | Berryman (R) | Bowers | Brown |

EXTRAORDINARY SESSION

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| | | | |
|------------------|--------------|----------------|-----------|
| Burgess | Grayson | Manley | Pruitt |
| Cameron | Hain | Marr | Sessions |
| Collier | Harper | Mathews | Slate |
| Collins (C) | Harris | Mays | Smith (C) |
| Collins (W) | Haygood | McCorquodale | Smith (P) |
| Cook (Coffee) | Headley | McDonald | Snell |
| Cook (Jefferson) | Higginbotham | McElhaney | Snodgrass |
| Crane | Hill | McLain | Starnes |
| Culver | Hobbie | Meeks | Steagall |
| Dill | Holman | Melton | Stubbs |
| Doss | House | Merrill | Tuck |
| Downing | Jackson (F) | Money | Waggoner |
| Drake | Jackson (T) | Neville | Watkins |
| Edington | Jones | Owen (Baldwin) | Williams |
| Fine | Kilgore | Owens (W) | Wood |
| Foshee | Lemley | Paulk | Wright |
| Garrett | Lybrand | Pearson | Yeilding |
| Gloor | Malone | Perloff | Young |
| Graham | | | |

—85

And the bill:

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Burgess | Drake | Headley |
| Adwell | Cameron | Edington | Higginbotham |
| Agee | Collier | Fine | Hill |
| Bassett | Collins (C) | Foshee | Hobbie |
| Beck | Collins (W) | Garrett | Holman |
| Berryman (R) | Cook (Coffee) | Gloor | House |
| Berryman (W) | Cook (Jefferson) | Graham | Jackson (F) |
| Blanton | Crane | Grayson | Jackson (T) |
| Bowers | Culver | Hain | Jones |
| Brannan | Dill | Harper | Kilgore |
| Brassell | Doss | Harris | Lemley |
| Brown | Downing | Haygood | Lybrand |

| | | | |
|--------------|----------------|-----------|----------|
| Malone | Melton | Pruitt | Stubbs |
| Manley | Merrill | Sessions | Tuck |
| Marr | Money | Slate | Waggoner |
| Mathews | Neville | Smith (C) | Watkins |
| Mays | Owen (Baldwin) | Smith (P) | Williams |
| McCorquodale | Owens (W) | Snell | Wood |
| McDonald | Paulk | Snodgrass | Wright |
| McElhaney | Pearson | Starnes | Yeilding |
| McLain | Perloff | Steagall | Young |
| Meeks | | | |

—85

And the bill:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Fine | Lybrand | Sessions |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Garrett | Manley | Smith (C) |
| Blanton | Gloor | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snell |
| Brannan | Grayson | Mays | Snodgrass |
| Brassell | Hain | McCorquodale | Starnes |
| Brown | Harper | McDonald | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Money | Wood |
| Cook (Jefferson) | Holman | Neville | Wright |
| Crane | House | Owen (Baldwin) | Yeilding |
| Culver | Jackson (F) | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|--------------|--------------|---------------|------------------|
| Mr. Speaker | Berryman (W) | Burgess | Cook (Jefferson) |
| Adwell | Blanton | Cameron | Crane |
| Agee | Bowers | Collier | Culver |
| Bassett | Brannan | Collins (C) | Dill |
| Beck | Brassell | Collins (W) | Doss |
| Berryman (R) | Brown | Cook (Coffee) | Downing |

| | | | |
|--------------|--------------|----------------|-----------|
| Drake | Hobbie | McElhaney | Smith (C) |
| Edington | Holman | McLain | Smith (P) |
| Ellis | House | Meeks | Snell |
| Fine | Jackson (F) | Melton | Snodgrass |
| Foshee | Jackson (T) | Merrill | Starnes |
| Garrett | Jones | Money | Steagall |
| Gloor | Kilgore | Neville | Stubbs |
| Graham | Lemley | Owen (Baldwin) | Tuck |
| Grayson | Lybrand | Owens (W) | Waggoner |
| Hain | Malone | Paulk | Watkins |
| Harper | Manley | Pearson | Williams |
| Harris | Marr | Perloff | Wood |
| Haygood | Mathews | Pruitt | Wright |
| Headley | Mays | Sessions | Yeilding |
| Higginbotham | McCorquodale | Slate | Young |
| Hill | McDonald | | |

—86

And the bill:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | Jackson (F) | Paulk |
| Adwell | Doss | Jackson (T) | Pearson |
| Agee | Downing | Jones | Perloff |
| Bassett | Drake | Kilgore | Pruitt |
| Beck | Edington | Lemley | Sessions |
| Berryman (R) | Ellis | Lybrand | Shumate |
| Berryman (W) | Fine | Malone | Slate |
| Blanton | Foshee | Manley | Smith (C) |
| Bowers | Garrett | Marr | Smith (P) |
| Brannan | Gloor | Mathews | Snell |
| Brassell | Graham | Mays | Snodgrass |
| Brown | Grayson | McCorquodale | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Cameron | Harper | McElhaney | Stubbs |
| Collier | Harris | McLain | Tuck |
| Collins (C) | Haygood | Meeks | Waggoner |
| Collins (W) | Headley | Melton | Watkins |
| Cook (Coffee) | Higginbotham | Merrill | Williams |
| Cook (Jefferson) | Hill | Money | Wood |
| Crane | Hobbie | Neville | Wright |
| Culver | Holman | Owen (Baldwin) | Yeilding |
| Dill | House | Owens (W) | Young |

—88

And the bill:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | Jackson (F) | Paulk |
| Adwell | Doss | Jackson (T) | Pearson |
| Agee | Downing | Jones | Perloff |
| Bassett | Drake | Kilgore | Pruitt |
| Beck | Edington | Lemley | Sessions |
| Berryman (R) | Ellis | Lybrand | Shumate |
| Berryman (W) | Fine | Malone | Slate |
| Blanton | Foshee | Manley | Smith (C) |
| Bowers | Garrett | Marr | Smith (P) |
| Brannan | Gloor | Mathews | Snell |
| Brassell | Graham | Mays | Snodgrass |
| Brown | Grayson | McCorquodale | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Cameron | Harper | McElhaney | Stubbs |
| Collier | Harris | McLain | Tuck |
| Collins (C) | Haygood | Meeks | Waggoner |
| Collins (W) | Headley | Melton | Watkins |
| Cook (Coffee) | Higginbotham | Merrill | Williams |
| Cook (Jefferson) | Hill | Money | Wood |
| Crane | Hobbie | Neville | Wright |
| Culver | Holman | Owen (Baldwin) | Yeilding |
| Dill | House | Owens (W) | Young |

—88

And the bill:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | Jackson (F) | Paulk |
| Adwell | Doss | Jackson (T) | Pearson |
| Agee | Downing | Jones | Perloff |
| Bassett | Drake | Kilgore | Pruitt |
| Beck | Edington | Lemley | Sessions |
| Berryman (R) | Ellis | Lybrand | Shumate |
| Berryman (W) | Fine | Malone | Slate |
| Blanton | Foshee | Manley | Smith (C) |
| Bowers | Garrett | Marr | Smith (P) |
| Brannan | Gloor | Mathews | Snell |
| Brassell | Graham | Mays | Snodgrass |
| Brown | Grayson | McCorquodale | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Cameron | Harper | McElhaney | Stubbs |
| Collier | Harris | McLain | Tuck |
| Collins (C) | Haygood | Meeks | Waggoner |
| Collins (W) | Headley | Melton | Watkins |
| Cook (Coffee) | Higginbotham | Merrill | Williams |
| Cook (Jefferson) | Hill | Money | Wood |
| Crane | Hobbie | Neville | Wright |
| Culver | Holman | Owen (Baldwin) | Yeilding |
| Dill | House | Owens (W) | Young |

—88

And the bill:

H. 13. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; to provide further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Ellis | Lybrand | Sessions |
| Berryman (R) | Fine | Malone | Slate |
| Berryman (W) | Foshee | Manley | Smith (C) |
| Blanton | Garrett | Marr | Smith (P) |
| Bowers | Gloor | Mathews | Snell |
| Brannan | Graham | Mays | Snodgrass |
| Brassell | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgess | Harper | McElhanev | Stubbs |
| Cameron | Harris | McLain | Tuck |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Williams |
| Cook (Coffee) | Hill | Money | Wood |
| Cook (Jefferson) | Hobbie | Neville | Wright |
| Crane | Holman | Owen (Baldwin) | Yeilding |
| Culver | House | Owens (W) | Young |
| Dill | Jackson (F) | | |

—86

And the bill:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collier | Foshee | House |
| Adwell | Collins (C) | Garrett | Jackson (F) |
| Agee | Collins (W) | Gloor | Jackson (T) |
| Bassett | Cook (Coffee) | Graham | Jones |
| Beck | Cook (Jefferson) | Grayson | Kilgore |
| Berryman (R) | Crane | Hain | Lemley |
| Berryman (W) | Culver | Harper | Lybrand |
| Blanton | Dill | Harris | Malone |
| Bowers | Doss | Haygood | Manley |
| Brannan | Downing | Headley | Marr |
| Brassell | Drake | Higginbotham | Mathews |
| Brown | Edington | Hill | Mays |
| Burgess | Ellis | Hobbie | McCorquodale |
| Cameron | Fine | Holman | McDonald |

| | | | |
|----------------|-----------|-----------|----------|
| McElhaney | Owens (W) | Smith (P) | Waggoner |
| McLain | Paulk | Snell | Watkins |
| Meeks | Pearson | Snodgrass | Williams |
| Melton | Perloff | Starnes | Wood |
| Merrill | Pruitt | Steagall | Wright |
| Money | Sessions | Stubbs | Yeilding |
| Neville | Slate | Tuck | Young |
| Owen (Baldwin) | Smith (C) | | |

—86

And the bill:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Paulk |
| Adwell | Downing | Jones | Pearson |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Lemley | Pruitt |
| Beck | Ellis | Lybrand | Sessions |
| Berryman (R) | Fine | Malone | Slate |
| Berryman (W) | Foshee | Manley | Smith (C) |
| Blanton | Garrett | Marr | Smith (P) |
| Bowers | Gloor | Mathews | Snell |
| Brannan | Graham | Mays | Snodgrass |
| Brassell | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgess | Harper | McElhaney | Stubbs |
| Cameron | Harris | McLain | Tuck |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Williams |
| Cook (Coffee) | Hill | Money | Wood |
| Cook (Jefferson) | Hobbie | Neville | Wright |
| Crane | Holman | Owen (Baldwin) | Yeilding |
| Culver | House | Owens (W) | Young |
| Dill | Jackson (F) | | |

—86

And the bill:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|-------------|
| Mr. Speaker | Beck | Bowers | Burgess |
| Adwell | Berryman (R) | Brannan | Cameron |
| Agee | Berryman (W) | Brassell | Collier |
| Bassett | Blanton | Brown | Collins (C) |

| | | | |
|------------------|--------------|----------------|-----------|
| Collins (W) | Harper | Mathews | Sessions |
| Cook (Coffee) | Harris | Mays | Slate |
| Cook (Jefferson) | Haygood | McCorquodale | Smith (C) |
| Crane | Headley | McDonald | Smith (P) |
| Culver | Higginbotham | McElhaney | Snell |
| Dill | Hill | McLain | Snodgrass |
| Doss | Hobbie | Meeks | Starnes |
| Downing | Holman | Melton | Steagall |
| Drake | House | Merrill | Stubbs |
| Edington | Jackson (F) | Money | Tuck |
| Ellis | Jackson (T) | Neville | Waggoner |
| Fine | Jones | Owen (Baldwin) | Watkins |
| Foshee | Kilgore | Owens (W) | Williams |
| Garrett | Lemley | Paulk | Wood |
| Gloor | Lybrand | Pearson | Wright |
| Graham | Malone | Perloff | Yeilding |
| Grayson | Manley | Pruitt | Young |
| Hain | Marr | | |

—86

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Meeks and Gafford:

H. J. R. 22. WHEREAS, the issuance of special postage stamps to commemorate special events has become an almost universal practice; and,

WHEREAS, the hobby of stamp collecting aids in the dissemination of knowledge and important information; and,

WHEREAS, the Legislature of the State of Alabama deems it timely and fitting for the proper authorities of the United States to issue a special postage stamp commemorating the One Hundred and Fiftieth Anniversary, in 1967, of the creation and entrance into the United States of America of the Alabama Territory; and,

WHEREAS, this Legislature deems this historical anniversary worthy of special notice and attention; and,

WHEREAS, the State of Alabama is the sole state or territory of the United States which has never had a commemorative stamp;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the Postmaster General of the United States of America, be, and is hereby called upon to issue a commemorative postage stamp to note and commemorate the One Hundred and Fiftieth Anniversary of the Alabama Territory.

BE IT FURTHER RESOLVED, That acopy of this Resolution be sent to the President of the United States, the Postmaster General of the United States, and Senators and Representatives of Alabama in the United States Congress.

On motion of Mr. Meeks the rules were suspended and H. J. R. 22 was adopted.

Also:

By Mr. Merrill:

H. J. R. 23. WHEREAS Mr. J. Thomas Martin, Jr., following the example set by his father and his grandfather, has made significant and lasting contributions to his home town, to his State, and to his country,

serving in combat action during World War I with the Fifth Infantry Division as First Lieutenant; serving as Postmaster of Jacksonville for twenty-two years, taking a prominent part in the civic life of Jacksonville, and contributing immeasurably to the development of Jacksonville State University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor and appreciation of Mr. J. Thomas Martin's devotion to Jacksonville State University and the important role he and his forebears have played in the history of this school, the town, and the State we hereby designate the new science building on the campus of Jacksonville State University as "Martin Hall" and the proper authorities of the University shall have such name inscribed on or affixed to the building in an appropriate manner.

BE IT FURTHER RESOLVED, That a copy of this resolution shall be sent to Mr. Martin and to Dr. Houston Cole, President of Jacksonville State University.

On motion of Mr. Merrill the rules were suspended and H. J. R. 23 was adopted.

ADJOURNMENT

On motion of Mr. Garrett the House adjourned until Friday, March 10, 1967, at ten o'clock A. M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, March 8, 1967

The House did not meet today.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, March 10, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Bobbie Cook, Minister, Jefferson Christian Church, LaMateria, Louisiana.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------|--------------|----------|----------|
| Mr. Speaker | Bassett | Blanton | Brown |
| Adwell | Beck | Bowers | Burgess |
| Agee | Berryman (R) | Brannan | Burgreen |
| Bank | Berryman (W) | Brassell | Cameron |

| | | | |
|------------------|--------------|----------------|------------|
| Cherner | Harper | Mays | Slate |
| Collier | Harris | McCorquodale | Smith (C) |
| Collins (C) | Haygood | McDonald | Smith (P) |
| Collins (W) | Headley | McElhaney | Snodgrass |
| Cook (Coffee) | Higginbotham | McLain | Springer |
| Cook (Jefferson) | Hill | Meade | Starnes |
| Crane | Hobbie | Meeks | Steagall |
| Crawford | Holladay | Melton | Stembridge |
| Dill | Holman | Merrill | Stubbs |
| Dobbs | House | Money | Thomas |
| Doss | Jackson (F) | Neville | Tuck |
| Downing | Jackson (T) | Owen (Baldwin) | Turnham |
| Ellis | Jones | Owens (W) | Waggoner |
| Foshee | Kilgore | Owens (W.E.) | Watkins |
| Gafford | Laxson | Paulk | Weeks |
| Garrett | Lemley | Pearson | Williams |
| Gloor | Lybrand | Pennington | Wood |
| Graham | Malone | Perloff | Wright |
| Grayson | Manley | Pruitt | Yeilding |
| Hain | Marr | Sessions | Young |
| Hardin | Mathews | Shumate | |

—99

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Mathews leave of absence was granted to Mr. Melton for the week of March 13, 1967, through March 18, 1967.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Merrill to suspend the rules in order to dispense with the reading at length of the Journal of the House for the third legislative day was lost.

Yeas 42; Nays 38.

Yeas:

| | | | |
|-------------|-------------|----------------|------------|
| Mr. Speaker | Foshee | Mays | Pennington |
| Agee | Hain | McCorquodale | Pruitt |
| Beck | Harper | McDonald | Shumate |
| Blanton | Harris | Meade | Slate |
| Brannan | Hill | Melton | Springer |
| Brassell | Hobbie | Merrill | Starnes |
| Burgreen | Jackson (F) | Owen (Baldwin) | Stembridge |
| Cameron | Lemley | Owens (W) | Stubbs |
| Dobbs | Lybrand | Paulk | Turnham |
| Doss | Manley | Pearson | Young |
| Ellis | Mathews | | |

—42

Nays:

| | | | |
|------------------|--------------|-------------|-----------|
| Messrs.: | Crawford | Holladay | Smith (P) |
| Adwell | Culver | Holman | Thomas |
| Bank | Dill | House | Waggoner |
| Bassett | Downing | Jackson (T) | Watkins |
| Bowers | Gafford | Kilgore | Weeks |
| Burgess | Gloor | Marr | Williams |
| Cherner | Graham | McElhaney | Wood |
| Collins (C) | Hardin | Meeks | Wright |
| Cook (Jefferson) | Headley | Perloff | Yeilding |
| Crane | Higginbotham | Sessions | |

—38

READING OF JOURNAL

The Speaker directed the Clerk to read the Journal of the House for the third legislative day, and the reading commenced.

MOTION TO RECESS LOST

The motion of Mr. Meeks that the House recess until 11:45 this morning was lost.

RECESS

On motion of Mr. Meeks the House recessed until 11:15 this morning.

The hour of 11:15 o'clock A. M. having arrived, the House reconvened. The Speaker called the House to order.

UNANIMOUS CONSENT GRANTED

Mr. Lybrand requested unanimous consent to introduce a resolution out of order, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. Lybrand, Merrill and Burgess:

H. J. R. 24. WHEREAS, Dr. Houston Cole, President of Jacksonville State University, is an eminent educator of this State; and

WHEREAS, under his able and devoted administration of the State College at Jacksonville, this institution was developed into a college of university status and its name has recently been changed to indicate this fact; and

WHEREAS, in recognition and appreciation of Dr. Cole's outstanding contributions to the growth and development of Jacksonville University, which have redounded to the City of Jacksonville and, in fact, to the whole State of Alabama, the City of Jacksonville has proclaimed today, March 10, 1967, as "Houston Cole Day in Jacksonville," and the Chamber of Commerce of such city is sponsoring a banquet today to honor Dr. Cole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby joins with the City of Jacksonville in saluting Dr. Cole today.

BE IT FURTHER RESOLVED That the Hon. Lurleen B. Wallace, Governor of Alabama, is hereby respectfully memorialized to designate this day, March 10, 1967, "Houston Cole Day in Alabama" as a token recognition of the invaluable contributions that Dr. Cole has made to the State of Alabama.

On motion of Mr. Lybrand the rules were suspended and H. J. R. 24 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Cameron requested unanimous consent to introduce a resolution out of order, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. Cameron and Springer:

H. J. R. 25. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with profound regret the untimely death of Charles M. Pinkston, a distinguished former member of this body, outstanding lawyer and political leader, past President of the Montgomery Bar Association and past Chairman of the State Democratic Executive Committee. His passing is deeply mourned and the sincere sympathy of the members and officers of the Legislature is extended to his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the family of Mr. Pinkston.

On motion of Mr. Cameron the rules were suspended and H. J. R. 25 was adopted.

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the third legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Slate to suspend the rules in order to allow the Standing Committee on Local Legislation No. 1 to report was adopted.

Yeas 51; Nays 9.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Messrs.: | Downing | Lybrand | Paulk |
| Agee | Ellis | Malone | Pearson |
| Bassett | Gloor | Manley | Pennington |
| Berryman (W) | Graham | Marr | Sessions |
| Brannan | Grayson | Mays | Slate |
| Brassell | Hardin | McElhaney | Smith (C) |
| Collier | Haygood | Meeks | Smith (P) |
| Collins (W) | Higginbotham | Melton | Springer |
| Cook (Jefferson) | Hill | Merrill | Starnes |
| Crane | Hobbie | Money | Steagall |
| Culver | Holladay | Neville | Stubbs |
| Dill | House | Owen (Baldwin) | Tuck |
| Doss | Lemley | Owens (W) | Wright |

Nays:

Mr. Speaker
Brown
Hain

Headley
Laxson

McDonald
Shumate

Turnham
Young

—9

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the third legislative day.

UNANIMOUS CONSENT GRANTED

Mr. Bassett requested unanimous consent to introduce a resolution out of order, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Mr. Bassett:

H. J. R. 26. WHEREAS Mr. John Glenn Stanley, veteran newspaper editor of Greenville, Alabama passed away March 5, 1967 after an extended illness; and

WHEREAS Mr. Stanley, editor of the Greenville Advocate since 1934, was the last member of a newspaper dynasty that began in 1865. He was a fearless editor, had won most of the top awards in his chosen profession and had served as president of the Alabama Press Association; and

WHEREAS Mr. Stanley was a prominent and influential leader in the civic, social and religious life of his city where he was voted "Greenville's Man of the Year" in 1952, and where he had continued to take an active part in the betterment of his community and was particularly interested in local projects for young people; and

WHEREAS Mr. Stanley is survived by his widow, Mrs. Mary Beeland Stanley; and his two daughters, Mrs. Virginia Stanley Plummer and Mrs. Marianne Stanley Hardin and a number of grandchildren; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Stanley whose death is a distinct loss to this State, and we extend sincere sympathy to the members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Bassett the rules were suspended and H. J. R. 26 was adopted.

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the third legislative day.

UNANIMOUS CONSENT GRANTED

Mr. Turnham requested unanimous consent to take up the following Message from the Senate out of order, and it was so granted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Torbert:

S. J. R. 10. WHEREAS Mrs. Leila Avary Terrell, a resident of Auburn since 1902 is known and loved by hundreds of Auburn University Alumni; for more than 50 years she roomed and fed Auburn students in her spacious home, serving as counselor and advisor to them; and

WHEREAS Mrs. Terrell, who celebrated her one hundredth birthday on October 27, 1966, is a living example of her belief that "your body may age but you stay young inside;" her youthful outlook, vivacity, and warm personality have endeared her to all who have been fortunate enough to be her friend; and

WHEREAS the Board of Trustees of Auburn University have unanimously recommended the naming of the new South Women's Dormitory Dining Hall for Mrs. Terrell; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mrs. Terrell's devotion and love toward these many Auburn University students, the dining hall described above, shall be designated, named and known as Leila Avary Terrell Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Terrell.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing Message from the Senate.

ADJOURNMENT

On motion of Mr. Turnham the House adjourned until Tuesday, March 14, 1967, at twelve o'clock, noon.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 14, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Haywood Scott, Pastor, First Southern Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pennington |
| Adwell | Dobbs | Jackson (F) | Perloff |
| Agee | Doss | Jackson (T) | Pruitt |
| Bank | Downing | Jones | Sessions |
| Bassett | Drake | Kilgore | Shumate |
| Beck | Edington | Laxson | Slate |
| Berryman (R) | Ellis | Lemley | Smith (C) |
| Berryman (W) | Fine | Lybrand | Smith (P) |
| Blanton | Foshee | Malone | Snell |
| Bolton | Gafford | Manley | Snodgrass |
| Bowers | Garrett | Marr | Springer |
| Brannan | Gloor | Mathews | Starnes |
| Brassell | Graham | Mays | Steagall |
| Brown | Grayson | McCorquodale | Stembridge |
| Burgess | Hain | McDonald | Stubbs |
| Burgreen | Hardin | McElhaney | Thomas |
| Cameron | Harper | McLain | Tuck |
| Cherner | Harris | Meade | Turnham |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Higginbotham | Money | Weeks |
| Cook (Coffee) | Hill | Neville | Williams |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Crane | Hogan | Owens (W) | Wright |
| Crawford | Holladay | Owens (W.E.) | Yeilding |
| Culver | Holman | Pearson | Young |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 68. To make an appropriation to the State Department of Mental Health.

This bill appropriates from the State General Fund to the Department of Mental Health the amount of \$500,000.00 for the operation of the hospital division of said Department for the fiscal year ending September 30, 1967.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 69 (with amendment). To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

This bill appropriates from the State General Fund, for the fiscal year ending September 30, 1967, to the Department of Mental Health, the amount of \$450,000.00 to be used on a matching basis with federal funds.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

This bill appropriates from the State General Fund \$2,800.00 for the fiscal year ending September 30, 1967.

H. 11. To make an additional appropriation to the Agricultural Center Board.

This bill appropriates from the State General Fund the amount of \$9,980.00 for the fiscal year ending September 30, 1967.

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

This bill does not make an appropriation.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 43 (with amendment). To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

This bill appropriates from the State General Fund for the fiscal year ending September 30, 1967, the amount of \$25,000.00.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 66. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

This bill authorizes the Alabama Corrections Institution Finance Authority to increase the amount of bonds issued in an amount not to exceed \$10,000,000. with debt service requirements approximately \$800,-000. per year.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 49 (with amendment). To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the Gen-

eral Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

It is estimated that this bill will increase the State General Fund by approximately \$4,000,000 per year.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 60 (with substitute). To provide for uniform time and exempt Alabama from the daylight saving time provisions of the "Uniform Time Act of 1966" (Public Law 89-387).

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Foshee and Jackson (F):

H. R. 27. WHEREAS, the beloved South Alabamian Hiram J. Brogden, Sr. departed this life on March 2, 1967, after having faithfully and competently served his State and his home community for the entirety of his adult life. Immediately upon his graduation from Troy State College in 1921 he returned to his beloved Covington County as a teacher in its County system and progressively thereafter served as its Circuit Clerk, its County Superintendent of Education, and for thirty-six years as its Judge of Probate, and

WHEREAS, all areas of our State, and of all of the States of our Union, look constantly for leadership toward men of the ability, integrity and dynamic personality as possessed by Hiram J. Brogden, Sr., for leadership and wise counsel.

NOW, THEREFORE, BE IT RESOLVED, That this the House of Representatives of the State of Alabama, in special session assembled, does hereby express the deep sense of loss suffered by our beloved State and by our County of Covington and its surrounding area over the death of its dependable and inspiring leader, Hiram J. Brogden, Sr., in the political, civic and business life of said State, County and area; and it does further express its sympathy to the members of his family and to the entire County of Covington to which he gave leadership.

BE IT FURTHER RESOLVED, That this Resolution be made permanent in the records of this the House of Representatives of the State of Alabama, and that copies hereof be provided to the members of his family.

On motion of Mr. Foshee the rules were suspended and H. R. 27 was adopted.

Also:

By Mr. Crane:

H. J. R. 28. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today they will adjourn to meet again at noon on Tuesday, March 21.

On motion of Mr. Crane the rules were suspended and H. J. R. 28 was adopted.

Also:

By Messrs. Graham and Berryman (W):

H. R. 29. WHEREAS Miss Wesley Williams who had served continuously in the probate office of Colbert County from 1912 until her death on March 5, 1967, at which time she was serving as chief clerk in that office; and

WHEREAS Miss Williams who was loved and cherished by her many friends, had endeared herself to countless people throughout the county with whom she came in contact, and was particularly loved by the lawyers of that area for her devotion to duty and her helpful and courteous consideration; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we deeply regret the death of Miss Williams, and extend our heartfelt sympathy to the surviving members of her family to whom copies of this resolution shall be sent.

On motion of Mr. Graham the rules were suspended and H. R. 29 was adopted.

Also:

By Messrs. Springer, McElhaney, Hobbie, Cameron and Harris:

H. J. R. 30. WHEREAS the people of Montgomery and the State of Alabama were shocked and grieved by the tragic loss of life in the holocaust which destroyed Dale's Penthouse Restaurant on the night of February 7, 1967; and

WHEREAS Jesse Williams, chief cook and valued employee at Dale's, after having conducted numerous patrons to safety by means of the elevator, returned to the blazing penthouse area to save others without regard to his own personal safety, and was subsequently trapped therein until he made his escape by sliding down the elevator cable; and

WHEREAS Jesse Williams has been cited for outstanding heroism by the Montgomery Chapter of the American National Red Cross and has been endorsed by the Montgomery City Commission and other organizations for nomination for the Carnegie Medal; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend the courageous actions and heroic efforts of Jesse Williams to save the lives of others without regard to his own personal safety and we endorse his nomination for the highest consideration for the award of the Carnegie Medal.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Carnegie Award Committee and to Jesse Williams in grateful appreciation for his outstanding heroism.

On motion of Mr. Springer the rules were suspended and H. J. R. 30 was adopted.

Also:

By Messrs. Springer, McElhaney, Hobbie, Cameron and Harris:

H. J. R. 31. WHEREAS Mrs. Rose Doane, pretty and attractive hostess at Dale's Penthouse Restaurant, gave her life in an heroic effort to save the lives of twenty-four other persons who perished in the tragic fire on the night of February 7, 1967; and

WHEREAS Mrs. Doane directed and lead many persons to safety and, while ignoring pleas of others to escape the holocaust, chose to remain and to make the supreme sacrifice in an attempt to save additional lives; and

WHEREAS Mrs. Doane has been cited for her outstanding heroism by the Montgomery Chapter of the American National Red Cross in a posthumous award to her husband, Mr. Jack Doane, sports editor of the Montgomery Advertiser, and has been endorsed by the Montgomery City Commission and other organizations for nomination and the highest consideration of the Carnegie Award Committee for the Carnegie Medal; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in taking solemn note and deep regret at the passing of Mrs. Doane and others, we commend Mrs. Doane's heroic efforts to save the lives of others without regard to her own safety and endorse Mrs. Doane for nomination and the highest consideration for the award of the Carnegie Medal.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Carnegie Award Committee and to Mr. Jack Doane to whom we extend our heartfelt sympathy.

On motion of Mr. Springer the rules were suspended and H. J. R. 31 was adopted.

Also:

By Messrs. Thomas, Culver, Bank and Brown:

H. J. R. 32. WHEREAS the Tuscaloosa County Public Lake which is located nine miles northwest of the City of Tuscaloosa is a haven of beauty in whose sparkling waters are mirrored the surrounding towering trees bringing quiet and peaceful enjoyment to numerous anglers of this region; and

WHEREAS our lovely lady governor whose serenity of spirit and modest yet purposeful manner has impressed the world with her many abilities during her comparatively brief appearance in public life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Tuscaloosa County Public Lake be named, designated and known as Lake Lurleen as a fitting tribute to our esteemed Governor.

On motion of Mr. Thomas the rules were suspended and H. J. R. 32 was adopted.

Also:

By Messrs. Headley, Dill, Turnham, Lemley, Hobbie, Harris, Watkins, Smith (P), Ellis, Culver, Thomas, Graham, Beck, Wood, Brassell and Owens (W):

H. J. R. 33. WHEREAS in 1917, Congress passed an Act known as the Smith-Hughes Act to provide for cooperation with the states for the

promotion of vocational education and the training of vocational subjects; and

WHEREAS the program of vocational education has been vastly expanded by additional and supplementary legislation both from the federal and state levels since its inauguration fifty years ago; and

WHEREAS Alabama has undertaken the greatest expansion in its history in the establishment of buildings and appropriation of funds for trade schools in order to educate our youth and to develop skilled craftsmen who are already bringing into our state a significant number of additional industries; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the week of March 19-25 is hereby proclaimed to be Vocational Education Week in Alabama, in recognition and commemoration of the fiftieth anniversary of the passage of the Smith-Hughes Act.

On motion of Mr. Headley the rules were suspended and H. J. R. 33 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Lybrand and Burgess:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Local Legislation No. 1.

By Messrs. Steagall, Burgess and Stembridge:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Ways and Means.

By Messrs. Blanton and Hain (with notice and proof):

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 119:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Dallas County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff and deposited in the county treasury. Four-fifths of the amount of each fee collected shall be credited to a special fund or account in the county treasury and shall be used exclusively by the sheriff for special purposes, in such amounts as may be determined by the Court of County Commissioners, Board of Revenue, or other like governing body of the County; the remaining part of each fee collected shall be credited to the General Funds of the County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Selma Times Journal, a newspaper of general circulation published in Selma, Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 19, Feb. 26, March 5, and March 12, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me March 13, 1967.

CORNELIA L. MOMSON,
Notary Public.

By Messrs. Blanton and Malone:

H. 120. To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Beck and Meade:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and

members of the court of county commissioners, board of revenue or other like governing body in such counties.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge (with notice and proof):

H. 122. Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

Notice and Proof H. 122:

NOTICE OF LOCAL LEGISLATION

TO WHOM IT MAY CONCERN:

Notice is hereby given of the intention to have an act passed by the Legislature of the State of Alabama, which, in words and figures shall be and provide as follows:

AN ACT

Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

SECTION I. One-half of all fines and forfeitures hereafter paid by persons convicted in Courts of competent jurisdiction within Henry County, Alabama, of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Henry County, Alabama, and the remainder shall be remitted by proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

SECTION II. All laws or parts of laws which conflict with this Act are hereby repealed.

SECTION III. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
HENRY COUNTY.

Before me, Nathalie S. Dodd, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks on, to-wit: January 26, 1967 February 2, 1967 February 9, 1967 February 16, 1967

THE ABBEVILLE HERALD,
J. EDWARD DODD.

Sworn to and subscribed before me, this 16 day of February, 1967.

NATHALIE S. DODD,
Notary Public.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 123. To amend Code of Alabama Title 51, Sections 697 and 703, relating to motor vehicle licenses.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 124. To amend further Act No. 44, H. B. 53, approved September 15, 1961, an act providing for a license tax on house trailers.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 125. To amend Code of Alabama, Title 51, Sections 695 and 696, in relation to the license tax on certain motor vehicles.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 126. To provide further for distribution and use of revenue derived from license taxes on motor vehicles and trailers; amending further Code of Alabama Title 51, Section 713.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 127. To amend further Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for hire.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 128. To provide further for distribution and use of the proceeds of state excise taxes on gasoline; amending further Code of Alabama Title 51, Sections 655, 656 and 657.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 129. To amend further Section 13 of Act No. 590, H. B. 392, approved June 27, 1940 (General Acts 1939, p. 958), an act imposing an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels, so as to provide further for the disposition and use of the proceeds of such tax.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 130. To amend Act No. 775, H. 40, approved September 19, 1953, (Acts 1953, v. ii, pp. 1046, 1047), an act fixing the license and registration fee on pick-up trucks.

Ways and Means.

By Messrs. Bowers, Holman, Sessions, Jackson (T), Crane, Cherner, Gloor, Meeks, Kilgore, Waggoner, House, Watkins, Weeks, Gafford, Dill, Adwell, Yeilding and Ellis:

H. 131. To amend Section 1 of Act No. 315, H. 773, approved August 1, 1951, an act fixing the license and registration fee on certain motor vehicles.

Ways and Means.

By Messrs. Cherner, House, Bowers, Holman, Wright, Yeilding, Weeks, Meeks, Kilgore, Gafford, Cook (Jefferson), Brown, Watkins, Ellis, Jackson (T) and Sessions:

H. 132. To levy a special registration fee on motor vehicles, which shall be in addition to all other taxes and license or registration fees levied upon motor vehicles or upon the privilege of using them on the public roads and highways of this state; to prescribe the amount of such fee; to provide for the collection thereof at the same time and by the same officer that the motor vehicle license tax, levied by Code of Alabama, 1940, Title 51, Chapter 20, Article 8, as amended, is collected; to provide for the distribution and use of the proceeds of such fees; to place certain duties on the director of the state highway department, the state commissioner of revenue, the state comptroller and the state treasurer; to prescribe penalties; and to repeal conflicting laws.

Ways and Means.

By Messrs. Cherner, Adwell, Bowers, Gafford, Kilgore, Crane, Yeilding, Watkins, Holman, Ellis, Jackson (T) and Sessions:

H. 133. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Ways and Means.

By Messrs. Turnham, Brannan, Downing, Jackson (F) and Foshee:

H. 134. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Ways and Means.

By Mr. Fite:

H. 135. To amend further Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts 1947, p. 514), an act known as the "Regional Vocational and Trade Schools Act," by further regulating certain paid leaves of absence for members of the faculties of such schools.

Ways and Means.

By Messrs. Downing, Marr and Grayson:

H. 136. Concerning discovery in personal injury litigation of the existence, nature and extent of applicable liability insurance; providing an effective date.

Judiciary.

By Messrs. Marr, Smith (C), Collins (W), Collins (C), Downing, Wood, Perloff, Edington, Hogan and Grayson (with notice and proof):

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Local Legislation No. 3.

Notice and Proof H. 137:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To apply only in Mobile County, providing for service of jury summonses by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County the sheriff shall execute every order to summons jurors as provided in Section 33, Title 30, Code of Alabama 1940, or the service may be made by first class mail as follows: It shall be the duty of the sheriff of the county to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside the county. In the event said jury summons is returned to the sheriff by the Post Office Department of the United States without delivery the summons shall be by the sheriff returned NOT FOUND. All jury summonses not returned to the sheriff by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this section in reference to service by mail shall not apply, however, to jury summonses returnable before the court instant; such summonses shall be served only as provided by Section 33 of Title 30, Code of Alabama 1940.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Feb. 4, 11, 18, 25, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 25 day of Feb. 1967.

W. F. EGAN,
Notary Public.

By Messrs. Collins (W), Edington, Marr, Smith (C), Downing, Hogan and Grayson:

H. 138. To provide for the issuance of special motor vehicle license plates or tags free of charge to certain disabled veterans; and to prescribe penalties for the misuse of such plates or tags.

Ways and Means.

By Messrs. Marr, Collins (W), Grayson, Perloff and Downing (with notice and proof):

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Local Legislation No. 3.

Notice and Proof H. 139:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage of an Act altering, rearranging, and extending the boundaries of the City of Saraland, Alabama, at any Special Session of the Alabama Legislature called before the next Regular Session of the Alabama Legislature or during the next Regular Session of the Alabama Legislature, reading substantially as follows:

AN ACT

To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1: That the boundaries of the City of Saraland, Alabama, in Mobile County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

All that tract or parcel of land lying and being in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama, and being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 9, thence Northerly along the West line of said Section a distance of 2640 feet, more or less, to the northwest corner of the southwest quarter of said section, which point lies on the boundary of the existing city limits of the City of Saraland, Alabama; thence easterly along the North line of the said Southwest Quarter of said Section, which is along the boundary of said City Limits, a distance of 2640 feet, more or less, to the Northeast corner of said Southwest Quarter of said Section, said corner being a corner of said City Limits; thence Southerly along the east line of said southwest quarter section, which is along the boundary of said city limits a distance of 2640 feet, more or less, to the southeast corner of said southwest quarter section, said corner being a corner of said City Limits; thence Westerly along the South line of said Section, a distance of 2640 feet, more or less, to the point of beginning.

Containing 160 acres, more or less.

SECTION 2: That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a Law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Jan. 30, Feb. 6, 13, 20, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 20 day of Feb. 1967.

W. F. EGAN.
Notary Public.

By Messrs. Sessions, Dill, Yeilding, Cherner, Money, Jackson (T), Holman, Waggoner, Weeks, Watkins, Brown, Culver, Ellis, Bank, Crane, Shumate, Dobbs, Berryman (R), Malone, Stubbs, Meeks, Wright, Cameron, McElhaney, Collins (W), Downing, Springer, Owens (W), Jackson (F), Owen (Baldwin), Harris, Brannan, Brassell, Crawford, Bassett, Mays, Grayson, Harper, Meade, Holladay, Gafford, Bowers, Berryman (W), Beck, Neville, Lemley, Young, Agee, Kilgore, Williams, Tuck, Graham, McDonald, Hobbie, Pearson, Pennington, Lybrand, Fine, House, Higginbotham, Haygood, Hill, Laxson, Snodgrass, Thomas, Turnham and Owens (W.E.):

H. 140. To prohibit discrimination by newspapers, magazines, and radio and television broadcasters in charges for advertisements, and prescribing penalties.

Business and Labor.

By Messrs. Smith (P) and Bolton:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area.

Agriculture.

By Messrs. Brown, Bank, Culver, Bowers, Cherner and Dobbs:

H. 142. To require all school children to be tested for and free of venereal diseases each year before enrollment in any grade of the public schools of this State.

Health.

By Messrs. Bank, Culver, Thomas and Brown (with notice and proof):

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Local Legislation No. 1.

Notice and Proof H. 143:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Be It Enacted by the Legislature of Alabama:

Section 1. In the sixth judicial circuit of Alabama each judge in such circuit who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 14, Feb. 21, Feb. 28, and March 7, all in the year 1967.

BUFORD BOONE.

Sworn to and subscribed before me March 7, 1967.

LILLA COLLINS,
Notary Public.

By Messrs. Thomas, Bank, Culver and Brown:

H. 144. To create and establish the Tuscaloosa Historical Commission for the preservation of certain properties and objects of historical interest in and about Alabama's second permanent capitol; providing for a board of trustees and the appointment, terms and duties of its members; and making an appropriation for the purposes of the Act.

Ways and Means.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Mr. Shumate:

H. J. R. 21. Requesting the State Textbook Committee and the State Board of Education not to authorize use of textbooks advocating or teaching Darwin's theory of evolution or atheism.

WHEREAS, these United States of America were established by deeply religious people, who "with a firm reliance on the protection of DEVINE PROVIDENCE" mutually pledged their lives, their fortunes and their sacred honor to each other, in the declaration by which they declared their independence from Great Britain;

WHEREAS, the firm belief of the people of this country in an Almighty God is further evidenced by the motto, "In God We Trust," which appears on all this nation's coins;

WHEREAS, many other evidences of the faith of the founders of this country in a deity may be found throughout the history of this country;

WHEREAS, in spite of all this evidence of the faith of the people of the United States in their Creator the Supreme Court has ruled that the reading of the Bible and the saying of prayers in public schools violates the Constitution;

WHEREAS, it is a generally accepted fact that peoples who lack faith in an Almighty God are a ready prey to advocates of anarchism, communism and other forms of government inimical to our kind of democracy, and that youth and students are particularly susceptible to exploitation and manipulation by these forces; and

WHEREAS, it is essential to the continuation of our democratic government that the youth of this country not lose faith in the power of a Supreme Being to rule this universe; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Textbook Committee and the State Board of Education of Alabama are hereby urged to exert every effort to assure that no textbook adopted for use or used in the public schools of this state belittles the power of a Supreme Being to rule the universe or contradicts or seriously questions the account of the origin of the world as it is described in the Holy Bible.

BE IT FURTHER RESOLVED, That the State Textbook Committee and the State Board of Education are particularly urged not to adopt or authorize the use of any textbook that indicates, advocates or teaches that Darwin's theory of evolution is a more acceptable explanation of the beginnings of man than the biblical account thereof or any book that encourages atheism.

Mr. Shumate moved to adopt the resolution, H. J. R. 21.

MOTIONS TO TABLE LOST

The motion of Mr. Edington to lay on the table the motion of Mr. Shumate to adopt the resolution, H. J. R. 21, was lost.

Yeas 29; Nays 50.

Yeas:

| | | | |
|-------------|----------|--------------|-----------|
| Messrs.: | Edington | McDonald | Pruitt |
| Agee | Grayson | McElhaney | Smith (P) |
| Brassell | Harris | McLain | Snodgrass |
| Cameron | Hill | Neville | Springer |
| Collins (C) | Hogan | Owens (W.E.) | Starnes |
| Dill | Lybrand | Pearson | Wood |
| Dobbs | Malone | Perloff | Wright |
| Downing | Manley | | |

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Holman | Owens (W) |
| Adwell | Doss | House | Shumate |
| Beck | Drake | Jackson (F) | Slate |
| Berryman (R) | Ellis | Jackson (T) | Steagall |
| Berryman (W) | Foshee | Kilgore | Stembridge |
| Bowers | Garrett | Lemley | Stubbs |
| Brannan | Gloor | Marr | Tuck |
| Brown | Graham | Mays | Waggoner |
| Burgess | Harper | Meeks | Watkins |
| Collier | Haygood | Merrill | Weeks |
| Collins (W) | Headley | Money | Williams |
| Crane | Higginbotham | Owen (Baldwin) | Yeilding |
| Crawford | Hobbie | | |

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The motion of Mr. Shumate to lay on the table the motion of Mr. Edington to postpone further consideration of the resolution, H. J. R. 21, until the eighth legislative day was lost.

Yeas 38; Nays 48.

Yeas:

| | | | |
|------------------|---------|-------------|------------|
| Mr. Speaker | Culver | Jackson (T) | Shumate |
| Adwell | Dobbs | Kilgore | Steagall |
| Beck | Drake | Lemley | Stembridge |
| Berryman (W) | Fine | Marr | Stubbs |
| Bowers | Gafford | Meade | Tuck |
| Brannan | Gloor | Meeks | Waggoner |
| Brown | Graham | Merrill | Watkins |
| Burgess | Hobbie | Money | Williams |
| Collier | Holman | Owens (W) | Young |
| Cook (Jefferson) | House | | |

—38

Nays:

| | | | |
|-------------|--------------|----------------|-----------|
| Messrs.: | Garrett | Lybrand | Perloff |
| Agee | Grayson | Malone | Sessions |
| Bassett | Hardin | Manley | Slate |
| Blanton | Harper | Mays | Smith (P) |
| Bolton | Harris | McCorquodale | Snodgrass |
| Brassell | Haygood | McDonald | Springer |
| Cameron | Headley | McElhaney | Starnes |
| Collins (C) | Higginbotham | McLain | Turnham |
| Dill | Hill | Neville | Weeks |
| Doss | Hogan | Owen (Baldwin) | Wood |
| Downing | Holladay | Owens (W.E.) | Wright |
| Edington | Laxson | Pearson | Yeilding |
| Ellis | | | |

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FURTHER CONSIDERATION OF H. J. R. 21 POSTPONED

The question was then on the motion of Mr. Edington to postpone further consideration of the resolution, H. J. R. 21, until the eighth legislative day and said motion was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Stubbs requested unanimous consent to add his name as a co-author of the resolution, H. J. R. 21, and it was so granted.

RECESS

On motion of Mr. Merrill the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Smith (P):

H. J. R. 34. WHEREAS, Eugene B. Landreth, the son of Robert L. and Jeanie Hibernia Landreth of Chambers County, Alabama, went to the Alabama School for the Blind in Talladega at the age of 10 years in 1914 and graduated from the school in 1924; and,

WHEREAS, he returned to the school in 1934 as an instructor, and organized during that year a band among the students of the school; and,

WHEREAS, he married Reba Hare in 1927 and had two fine daughters, now Mrs. Betty Jean Layton of Titusville, Florida and Mrs. Helen Bussey of Talladega, Alabama; and,

WHEREAS, he has been the only band director the school has ever had, having served as director since its organization; and,

WHEREAS, the band, under his leadership, led the Lions International parade in New York and presented a concert in Madison Square Garden in 1949, has presented many concerts all over Alabama, has played in the inaugural parade of every Alabama governor since 1947, and has entertained this Legislature in joint assembly with concerts on many occasions; and,

WHEREAS, Eugene B. Landreth, himself blind, has been a source of inspiration and guidance to hundreds of blind and visually handicapped Alabama children for whom he has opened up the world of music; and,

WHEREAS, the executive committee of the Board of Trustees of the Alabama Institute for Deaf and Blind has requested that this action be taken;

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES CONCURRING, That the newly redecorated music hall at the campus of the Alabama School for the Blind in Talladega be, and it is hereby, named the Eugene B. Landreth Music Hall.

On motion of Mr. Smith (P) the rules were suspended and H. J. R. 34 was adopted.

Also:

By Mr. Smith (P):

H. J. R. 35. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution, and the tenth legislative day of the 1969 regular legislative session, which shall make

a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1969 regular legislative session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee.

The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work, and may employ such clerical, technical, and expert assistance as he may find necessary for the proper performance by the committee of its duties.

The compensation of committee members and committee employees shall be paid as provided in Code of 1940, Title 32, Sections 13 and 14, and the members shall each be entitled to expenses as provided them for legislative sessions; provided, however, that with the approval of the Governor, members and employees may receive compensation for a number of days in addition to those provided for in said Section 13.

Total expenditures of the committee shall not exceed twenty-five thousand dollars in any fiscal year, except with the approval of the Governor.

The motion of Mr. Smith (P) to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 35 was lost.

Yeas 30; Nays 33.

Yeas:

| | | | |
|-------------|----------|------------|-----------|
| Mr. Speaker | Dill | Marr | Snodgrass |
| Agee | Downing | McElhanev | Springer |
| Bolton | Edington | McLain | Starnes |
| Brannan | Harper | Merrill | Steagall |
| Cameron | Harris | Owens (W) | Thomas |
| Collier | Hobbie | Pennington | Turnham |
| Collins (W) | Hogan | Shumate | Young |
| Culver | Lemley | | |

—30

Nays:

| | | | |
|--------------|-------------|--------------|------------|
| Messrs.: | Gloor | Malone | Stembridge |
| Bassett | Graham | Manley | Stubbs |
| Berryman (W) | Hardin | McCorquodale | Tuck |
| Burgess | Hill | Meeks | Watkins |
| Cherner | Jackson (F) | Neville | Weeks |
| Crawford | Jackson (T) | Perloff | Wood |
| Doss | Kilgore | Pruitt | Wright |
| Foshee | Laxson | Slate | Yeilding |
| Garrett | Lybrand | | |

—33

And said resolution, H. J. R. 35 was read and referred to the Standing Committee on Rules.

Also:

By Mr. Mays:

H. J. R. 36. WHEREAS Satilla Virginia Lady, an exceptional six year old pointer bitch owned by Dr. Frank Phillippi of Brewton, Alabama and Escambia County, has been named National Bird Dog Champion of 1967; and

WHEREAS in making her winning race for the championship in Grand Junction, Tennessee, Lady turned in ten perfect finds, ran a tremendous ground heat for three full hours and hunted the birdy spots. She needed a minimum of scouting, handled as if she were on a leash and showed exceptional style and character. After she was subsequently put on final run to show that she could back her brace mate, Lady was awarded the championship collar, three trophies and a fifteen hundred dollar cash prize; and

WHEREAS Lady has brought honor and glory to Alabama in evidencing that this State is indeed the home of champions in many fields of endeavor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Lady; her owner, Dr. Phillippi, and her trainer, Mr. Herman Smith of Hatchechubbee, Alabama for Lady's outstanding performance in winning the National Bird Dog Championship of 1967.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Satilla Virginia Lady, Dr. Phillippi and Mr. Smith.

On motion of Mr. Mays the rules were suspended and H. J. R. 36 was adopted.

Also:

By Messrs. Thomas, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhane, McLain, Meade, Meeks, Melton, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Slate, Smith (C), Smith (P), Snell, Snodgrass, Springer, Starnes, Steagall, Stenbridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. R. 37. WHEREAS, on March 14, 1922 the youngest of 14 children was born in the family of the late Ross Pemberton and Jennie Kitchens Pemberton; and

WHEREAS, this young son was educated in the public school system and graduated from Tallassee High School in Elmore County; and

WHEREAS, this distinguished person served a memorable career in the United States Navy during which time he became a renowned traveler and at the same time acquired a new name of Lil Abner; and

WHEREAS, he learned much about the historic sites, characteristics and habits of our friends in many foreign countries; and

WHEREAS, of particular note, he showed interest in the liquid habits of the Scots and the warm, friendly, lovable personalities and habits of the French; and

WHEREAS, he has shown his political acumen by attending Auburn University, as well as the University of Alabama, where he received a Bachelor of Arts Degree in 1952 and a Law Degree in 1953; and

WHEREAS, he has been an avid civic, business, and political leader in the City of Montgomery having served as exalted Ruler of Elks Lodge 596 and most recently served as Inauguration Chairman and Master of Ceremonies for our esteemed new governor; and

WHEREAS, at the organizational session of the House of Representatives in January he was again unanimously elected to serve his flock as the Clerk of the House; and

WHEREAS, he is known as a lover of sports, outdoors as well as indoors; and

WHEREAS, he has been known to journey to various resorts to compete in many sporting activities in places such as Nevada, the former Western land of the Six Shooter which is better known now as the land of the Seven Shooter; and

WHEREAS, he loves athletics and exercise so much that any afternoon at 5:00 PM you might find him "riding high" on the Scotch Surf, or peddling as many as 52 bicycles around the room with his athletic friends; and

WHEREAS, he is a most Lovable Character that the House of Representatives admires and respects and his fine assistants and Clerks love so dearly.

NOW, THEREFORE, BE IT HEREBY RESOLVED That this House of Representatives gives a resounding Happy Birthday to our friend, John W. Pemberton.

On motion of Mr. Thomas the rules were suspended and H. R. 37 was adopted.

BILLS ON THIRD READING

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

| | | | |
|--------------|-------------|----------|-------------|
| Mr. Speaker | Collins (W) | Hain | Jackson (T) |
| Beck | Crawford | Harper | Laxson |
| Berryman (R) | Culver | Harris | Lemley |
| Berryman (W) | Doss | Haygood | Lybrand |
| Bowers | Downing | Headley | Malone |
| Brassell | Drake | Hill | Manley |
| Burgess | Edington | Hobbie | Marr |
| Cherner | Garrett | Hogan | Mays |
| Collier | Graham | Holladay | McDonald |

| | | | |
|----------------|--------------|------------|----------|
| McElhaney | Owens (W) | Slate | Stubbs |
| Meade | Owens (W.E.) | Smith (C) | Tuck |
| Meeks | Pearson | Snodgrass | Watkins |
| Merrill | Pennington | Springer | Williams |
| Money | Pruitt | Starnes | Wright |
| Neville | Sessions | Steagall | Young |
| Owen (Baldwin) | Shumate | Stembridge | |

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And the bill:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Lemley | Pruitt |
| Adwell | Downing | Lybrand | Sessions |
| Agee | Drake | Malone | Shumate |
| Bassett | Edgington | Manley | Slate |
| Beck | Ellis | Marr | Smith (C) |
| Berryman (R) | Foshee | Mathews | Snodgrass |
| Berryman (W) | Garrett | Mays | Springer |
| Blanton | Graham | McCorquodale | Starnes |
| Bolton | Hain | McDonald | Steagall |
| Bowers | Harper | McElhaney | Stembridge |
| Brannan | Harris | McLain | Stubbs |
| Brassell | Haygood | Meade | Tuck |
| Brown | Higginbotham | Meeks | Turnham |
| Burgess | Hill | Merrill | Waggoner |
| Cameron | Hobbie | Money | Watkins |
| Collier | Hogan | Neville | Weeks |
| Collins (C) | Holladay | Owen (Baldwin) | Williams |
| Collins (W) | Holman | Owens (W) | Wood |
| Crawford | Jackson (F) | Owens (W.E.) | Wright |
| Culver | Jackson (T) | Pearson | Yeilding |
| Dill | Kilgore | Pennington | Young |
| Dobbs | Laxson | Perloff | |

—87

And the bill:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|-------------|
| Mr. Speaker | Berryman (R) | Brassell | Collins (C) |
| Adwell | Berryman (W) | Brown | Collins (W) |
| Agee | Blanton | Burgess | Crawford |
| Bassett | Bowers | Cameron | Culver |
| Beck | Brannan | Collier | Dill |

| | | | |
|--------------|--------------|----------------|------------|
| Dobbs | Hobbie | Meade | Snodgrass |
| Doss | Hogan | Meeks | Springer |
| Downing | Holman | Merrill | Starnes |
| Drake | Jackson (F) | Money | Steagall |
| Edington | Jackson (T) | Neville | Stembridge |
| Ellis | Kilgore | Owen (Baldwin) | Stubbs |
| Foshee | Laxson | Owens (W) | Tuck |
| Garrett | Lemley | Owens (W.E.) | Turnham |
| Graham | Lybrand | Pearson | Waggoner |
| Hain | Malone | Pennington | Watkins |
| Hardin | Manley | Perloff | Weeks |
| Harper | Marr | Pruitt | Williams |
| Harris | Mays | Sessions | Wood |
| Haygood | McCorquodale | Shumate | Wright |
| Headley | McDonald | Slate | Yeilding |
| Higginbotham | McElhaney | Smith (C) | Young |
| Hill | McLain | Smith (P) | |

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And the bill:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Pennington |
| Adwell | Downing | Laxson | Pruitt |
| Agee | Drake | Lemley | Sessions |
| Bassett | Edington | Lybrand | Shumate |
| Beck | Ellis | Malone | Slate |
| Berryman (R) | Foshee | Manley | Smith (C) |
| Berryman (W) | Gafford | Marr | Smith (P) |
| Blanton | Garrett | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Hain | McDonald | Steagall |
| Brown | Hardin | McElhaney | Stubbs |
| Burgess | Harper | McLain | Tuck |
| Cameron | Harris | Meade | Turnham |
| Cherner | Haygood | Meeks | Waggoner |
| Collier | Headley | Merrill | Watkins |
| Collins (C) | Higginbotham | Money | Weeks |
| Collins (W) | Hill | Neville | Williams |
| Crawford | Hobbie | Owen (Baldwin) | Wood |
| Culver | Hogan | Owens (W) | Wright |
| Dill | Holman | Owens (W.E.) | Yeilding |
| Dobbs | Jackson (F) | Pearson | Young |

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And the bill:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Lemley | Pruitt |
| Adwell | Drake | Lybrand | Sessions |
| Agee | Edington | Malone | Shumate |
| Beck | Ellis | Manley | Slate |
| Berryman (R) | Foshee | Marr | Smith (C) |
| Berryman (W) | Gafford | Mathews | Smith (P) |
| Blanton | Gloor | Mays | Snodgrass |
| Bolton | Graham | McCorquodale | Springer |
| Bowers | Hain | McDonald | Starnes |
| Brannan | Hardin | McElhaney | Steagall |
| Brassell | Harper | McLain | Stembridge |
| Brown | Harris | Meade | Stubbs |
| Burgess | Haygood | Meeks | Tuck |
| Cameron | Headley | Merrill | Turnham |
| Cherner | Higginbotham | Money | Waggoner |
| Collier | Hill | Neville | Watkins |
| Collins (C) | Hobbie | Owen (Baldwin) | Weeks |
| Collins (W) | Hogan | Owens (W) | Williams |
| Crawford | Holladay | Owens (W.E.) | Wood |
| Culver | Holman | Pearson | Wright |
| Dill | Jackson (F) | Pennington | Yeilding |
| Dobbs | Jackson (T) | Perloff | Young |
| Doss | Laxson | | |

—90

And the bill:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Perloff |
| Adwell | Downing | Jackson (T) | Pruitt |
| Agee | Drake | Laxson | Sessions |
| Bassett | Edington | Lemley | Shumate |
| Beck | Ellis | Lybrand | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snodgrass |
| Bolton | Garrett | Mathews | Springer |
| Bowers | Gloor | Mays | Starnes |
| Brannan | Graham | McCorquodale | Steagall |
| Brassell | Hain | McElhaney | Stembridge |
| Brown | Hardin | McLain | Stubbs |
| Burgess | Harper | Meade | Tuck |
| Cameron | Harris | Meeks | Turnham |
| Cherner | Haygood | Merrill | Waggoner |
| Collier | Headley | Money | Watkins |
| Collins (C) | Higginbotham | Neville | Weeks |
| Collins (W) | Hill | Owen (Baldwin) | Williams |
| Cook (Coffee) | Hobbie | Owens (W) | Wood |
| Crawford | Hogan | Owens (W.E.) | Wright |
| Culver | Holladay | Pearson | Yeilding |
| Dill | Holman | Pennington | Young |
| Dobbs | | | |

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BILLS POSTPONED

On motion of Mr. Shumate, consideration of the bill, H. 114, was postponed until the next legislative day.

On motion of Mr. Holladay, consideration of the bill, H. 26, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Kilgore | Pruitt |
| Adwell | Doss | Laxson | Sessions |
| Agee | Downing | Lemley | Shumate |
| Bank | Drake | Lybrand | Slate |
| Bassett | Edington | Malone | Smith (C) |
| Beck | Ellis | Manley | Smith (P) |
| Berryman (R) | Fine | Marr | Snodgrass |
| Berryman (W) | Foshee | Mays | Springer |
| Blanton | Gafford | McCorquodale | Starnes |
| Bolton | Gloor | McDonald | Steagall |
| Bowers | Graham | McElhaney | Stembridge |
| Brannan | Hain | McLain | Stubbs |
| Brassell | Hardin | Meade | Thomas |
| Brown | Harper | Meeks | Tuck |
| Burgess | Harris | Merrill | Turnham |
| Cameron | Haygood | Money | Waggoner |
| Cherner | Headley | Neville | Watkins |
| Collier | Higginbotham | Owen (Baldwin) | Weeks |
| Collins (W) | Hill | Owens (W) | Williams |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Wood |
| Crane | Hogan | Pearson | Wright |
| Crawford | Holman | Pennington | Yeilding |
| Culver | Jackson (F) | Perloff | Young |
| Dill | Jackson (T) | | |

—94

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the third legislative day.

JOURNAL FOR THE THIRD LEGISLATIVE DAY APPROVED

On motion of Mr. Garrett, further reading of the Journal of the House for the third legislative day was dispensed with, and the report of the Standing Committee on Rules set out in the Journal of the House on the fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from Her Excellency, the Governor, proposing an amendment to the Resolution:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Joint Resolution No. 4, with a suggested Executive Amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

March 10, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I return to you, the Body in which it originated, Senate Joint Resolution Number 4, without my approval, and respectfully suggest an amendment thereto.

I respectfully suggest that Senate Joint Resolution Number 4 be amended to read as follows:

"BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that each member of the Legislature shall be allowed an additional two hundred dollars a month for expenses incurred in the performance of his duties only during those months, or portion thereof, when the Legislature is not in session, to be paid at the end of each month during his term.

"RESOLVED FURTHER, that this order shall take effect upon approval thereof by the Governor or upon its otherwise becoming a law, as provided in case of laws under Article 5, Section 125, of the Constitution."

I am aware that members of the Legislature perform many duties while they are not in session and that they receive no compensation or expense allowance for this duty. It is believed that the people of Alabama would approve a reasonable amount to be paid to the legislators who are called upon to perform this duty. An expense allowance of \$200 per month while a legislator is not in session would seem to be quite reasonable. While in session, each legislator would receive the amount presently paid of \$900 per month.

I recommend that the Legislature consider submitting to the people of Alabama a proposed amendment to the Constitution to change the method of paying legislators to an annual basis.

It is estimated that under the proposed executive amendment submitted herewith the State will save during the four years approximately \$1,000,000.00 during regular sessions alone. Savings during an average special session would approximate \$125,000 per special session.

The adoption of the above suggested amendment will remove my objection to the bill.

Respectfully,

LURLEEN B. WALLACE,
Governor.

And the Senate has concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the Resolution, S. J. R. 4, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 22, Nays 10.

And said Resolution, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 7.

And said Resolution, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the motion of Mr. Merrill to concur in and adopt the Executive Amendment to the resolution, S. J. R. 4, set out in the above and foregoing Message from the Senate was laid upon the table.

Yeas 54; Nays 35.

Yeas:

| | | | |
|--------------|----------|-------------|-----------|
| Messrs.: | Doss | Hill | Sessions |
| Bank | Downing | Hobbie | Slate |
| Bassett | Edington | Hogan | Smith (P) |
| Berryman (W) | Ellis | Holman | Snell |
| Blanton | Fine | Jackson (F) | Snodgrass |
| Bolton | Foshee | Lemley | Stubbs |
| Brassell | Garrett | Malone | Thomas |
| Brown | Graham | Manley | Tuck |
| Burgess | Grayson | Mays | Turnham |
| Cameron | Hardin | McLain | Watkins |
| Cherner | Harper | Meade | Wood |
| Collins (W) | Harris | Neville | Wright |
| Crane | Haygood | Owens (W) | Young |
| Culver | Headley | Pearson | |

—54

Nays:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Lybrand | Perloff |
| Beck | Drake | Marr | Pruitt |
| Berryman (R) | Gafford | Mathews | Starnes |
| Bowers | Gloor | McCorquodale | Steagall |
| Brannan | Hain | McDonald | Stembridge |
| Collier | House | Merrill | Waggoner |
| Cook (Jefferson) | Jackson (T) | Money | Weeks |
| Crawford | Kilgore | Owen (Baldwin) | Williams |
| Dill | Laxson | Pennington | |

—35

The question was then upon the adoption of the resolution, S. J. R. 4, and said resolution was lost.

Yeas 52; Nays 41.

Yeas:

| | | | |
|--------------|--------------|-----------|-----------|
| Messrs.: | Doss | Hill | Neville |
| Agee | Downing | Hobbie | Pearson |
| Bassett | Edington | Hogan | Sessions |
| Berryman (W) | Ellis | Holman | Slate |
| Blanton | Garrett | Kilgore | Smith (P) |
| Bolton | Graham | Laxson | Snell |
| Brassell | Grayson | Lemley | Snodgrass |
| Brown | Hardin | Lybrand | Springer |
| Burgess | Harper | Manley | Thomas |
| Cameron | Harris | Mays | Tuck |
| Crane | Haygood | McElhaney | Turnham |
| Crawford | Headley | McLain | Watkins |
| Culver | Higginbotham | Meade | Young |
| Dill | | | |

—52

Nays:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Drake | McDonald | Starnes |
| Bank | Gafford | Meeks | Steagall |
| Beck | Gloor | Merrill | Stembridge |
| Bowers | Hain | Money | Stubbs |
| Brannan | House | Owen (Baldwin) | Waggoner |
| Cherner | Jackson (T) | Owens (W) | Weeks |
| Collier | Malone | Pennington | Williams |
| Collins (W) | Marr | Perloff | Wood |
| Cook (Coffee) | Mathews | Pruitt | Wright |
| Cook (Jefferson) | McCorquodale | Smith (C) | Yeilding |
| Dobbs | | | |

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Which was not a majority of the whole number elected to the House.

STATE OF ALABAMA
GOVERNOR'S OFFICE
MONTGOMERY

March 14, 1967

CECIL C. JACKSON, JR.

Executive Secretary

The House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I transmit herewith an Amendment to the Proclamation issued by the Governor convening the Legislature in special session.

Very truly yours,

CECIL C. JACKSON, JR.,
Executive Secretary.

CCJ/jr

AMENDMENT TO PROCLAMATION
BY THE
GOVERNOR

WHEREAS, by Proclamation issued on the 27th day of February, 1967, I did convene the Legislature of Alabama in Special Session and did designate specifically certain matters concerning which I deemed action to be necessary, and

WHEREAS, I deem it necessary to amend said Proclamation to include another matter concerning which I deem action to be necessary:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby amend the Proclamation issued by me on the 27th day of February, 1967, convening the Legislature in Special Session to add the following matter concerning which I deem action to be necessary.

"10. Legislation to amend or modify existing law regarding the taxation of fuel used for aviation and the distribution of proceeds from the tax imposed on aviation fuel."

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 14th day of March, 1967.

LURLEEN B. WALLACE,
GOVERNOR OF ALABAMA.

ATTEST:

MABEL S. AMOS,
Secretary of State

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Pelham and Engel:

SENATE JOINT RESOLUTION NO. 18

WHEREAS, on Friday, March 17, 1967, the anniversary of the birth of Patrick, patron saint of Ireland, Mobile's Friendly Sons of St. Patrick will again celebrate this event, and

WHEREAS, this annual celebration by the Friendly Sons of St. Patrick of the City of Mobile is eagerly anticipated and thoroughly enjoyed not only by the members of that fine association but by all of the citizens of Mobile County, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the best wishes of this body be expressed to the members of the Friendly Sons of St. Patrick on the occasion of their annual celebration this coming Friday, March 17, 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the rules were suspended and the House concurred in and adopted the S. J. R. 18 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Pelham and Engel:

SENATE JOINT RESOLUTION NO. 17

WHEREAS, the 10th annual America's Junior Miss Pageant is being held in the port City of Mobile during the week of March 13-March 18, 1967, and

WHEREAS, this annual event has blossomed into one of the Nation's outstanding beauty and personality pageants as a result of the untiring work and efforts of the Mobile Junior Chamber of Commerce and the Board of Directors of the America's Junior Miss Pageant, and

WHEREAS, lovely and charming high school seniors from each of the fifty states of the Nation are taking part in the pageant this week and upon their return home will be able to recount the manifest charms, blessings and advantages of the City of Mobile and of the entire State of Alabama, and

WHEREAS, this pageant is a great achievement for both the City of Mobile and the entire State of Alabama, with the eyes of millions of television viewers being focused on the finals at the Mobile Municipal Auditorium on Saturday, March 18, 1967, and

WHEREAS, the Legislature of Alabama desires to welcome to our State the lovely Junior Misses from throughout the Nation, together with their parents and sponsors, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we do express a most cordial welcome to these lovely young ladies, their parents and sponsors, upon the occasion of their visit to our State. We hope that their stay will be pleasant and enjoyable and one that will not soon be forgotten by them.

BE IT FURTHER RESOLVED that the appreciation and gratitude of the Legislature of Alabama be acknowledged to the Mobile Junior Chamber of Commerce, especially including President Fred W. Killion, Jr. and Pageant Chairman Richard Nelson, and also to the Board of Directors of the America's Junior Miss Pageant, so ably chaired by Mr. George E. Downing, and that we acknowledge the efforts of these persons and their groups as being so necessary to conduct a successful pageant.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Mobile Junior Chamber of Commerce in care of Mr. Fred W. Killion, Jr., to Mr. Richard Nelson as Chairman of the Pageant Committee of the Junior Chamber of Commerce and to Mr. George E. Downing as Chairman of the America's Junior Miss Pageant Board of Directors.

McDOWELL LEE.
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the rules were suspended and the House concurred in and adopted the S. J. R. 17 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dominick:

S. J. R. 6. Ratifying the proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency; disability of the President.

WHEREAS the Eighty-ninth Congress of the United States of America in both houses by a constitutional majority of two-thirds thereof, has made the following proposal to amend the Constitution of the United States—

“JOINT RESOLUTION

“Proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency; disability of the President.

“RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“ARTICLE—

“Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

“Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

“Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

“Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That:

1. The proposed amendment to the Constitution of the United States of America as herein shown be and the same is hereby ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Secretary of State to the Secretary of State of the United States, to the presiding officer of the Senate of the United States, and to the Speaker of the House of Representatives of the United States.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Blanton the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Folsom:

S. J. R. 7. WHEREAS Mrs. Marie Phillips, wife of Mr. Mark Phillips and mother of two small children, was killed by a tornado which ripped through her home in Empire, Alabama; and

WHEREAS Mr. Phillips and his son, Tommy, were injured as a result of this storm which also destroyed their home; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mrs. Phillips and extend to Mr. Phillips and his children, Pamela and Tommy, our heartfelt sympathy in their bereavement.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. Phillips.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Folsom:

S. J. R. 8. WHEREAS Dennis Wright, a sixteen year old boy of the Rocky Hollow Community near Sumiton in Walker County, was killed on March 6, 1967 as a result of a tornado which destroyed his home and injured his mother and sister; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the tragic and untimely death of Dennis Wright and extend our heartfelt sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nabors:

S. J. R. 9. WHEREAS, Miss Susan Smith of Gadsden exhibited throughout her life those admirable attributes of friendliness, devotion to duty, and concern for her fellowman, and

WHEREAS, she gained the respect of fond feelings of those she knew—whether friend or mere acquaintance, and

WHEREAS, Miss Smith gave much of her time to the worthwhile activities of her church, her sorority, and her YMCA program, and

WHEREAS, she represented the young people of Alabama in a most commendable manner as A Student Ambassador to Greece during the summer of 1966, and

WHEREAS, Miss Smith possessed an avid interest in the affairs of the State as evidenced by her capable service as Clerk of the House during the 1964 Alabama Youth Legislature, and

WHEREAS, she further proved her dedication to the American tradition by continuing her education at the University of Alabama where she participated in many campus programs, and

WHEREAS, Miss Smith has been taken from us to serve a greater purpose in the life eternal, and

NOW THEREFORE, BE IT RESOLVED THAT THE STATE SENATE, THE HOUSE CONCURRING, pay respect and tribute to the outstanding example set by the wonderful life she lived, and

BE IT FINALLY RESOLVED that a copy of this resolution along with our deepest feelings of sympathy be sent to her mother, Mrs. Evelyn M. Smith; to her father, Dr. Walter Smith; to her younger sister, Miss Cynthia Smith; and her college sorority, Alpha Gamma Delta.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens (W) the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Albea:

S. J. R. 14. WHEREAS, Dr. Houston Cole, President of Jacksonville State University, is an eminent educator of this State; and

WHEREAS, under his able and devoted administration of the State College at Jacksonville, this institution was developed into a college of university status and its name has recently been changed to indicate this fact; and

WHEREAS, in recognition and appreciation of Dr. Cole's outstanding contributions to the growth and development of Jacksonville University, which have redounded to the City of Jacksonville and, in fact, to the whole State of Alabama, the City of Jacksonville has proclaimed today, March 10, 1967, as "Houston Cole Day in Jacksonville," and the Chamber of Commerce of such city is sponsoring a banquet today to honor Dr. Cole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby joins with the City of Jacksonville in saluting Dr. Cole today.

BE IT FURTHER RESOLVED That the Hon. Lurleen B. Wallace, Governor of Alabama, is hereby respectfully memorialized to designate this day, March 10, 1967, "Houston Cole Day in Alabama" as a token recognition of the invaluable contributions that Dr. Cole has made to the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 14 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwyn and Pierce:

S. J. R. 15. WHEREAS, the Alabama YMCA Youth Legislature is one of the most outstanding training programs in the operation of State government for young people in the entire United States of America, and

WHEREAS, the Nineteenth Annual YMCA Youth Legislature is scheduled to meet here in the State Capitol and in the Legislative Chambers for three days beginning on Thursday night, March 30, 1967 and there could be a possible conflict in such program and a session of this Legislature on Friday, March 31, 1967, and

WHEREAS, all members of the Alabama Legislature desire to co-operate with our young people in this fine program and make the House and Senate Chambers available to them for their session of the YMCA Youth Legislature;

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, as follows:

That the House and Senate will not meet on Friday, March 31, 1967 in order to make the Chambers available at such time for the Alabama YMCA Youth Legislature.

AND BE IT FURTHER RESOLVED, that we do hereby wish all delegates, members and sponsors of the Alabama YMCA Youth Legislature continued success in their forthcoming session and congratulate all parties concerned on this outstanding and worthwhile program.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McElhaney the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

RECESS

The House recessed for ten minutes.

The House reconvened. The Speaker called the House to order.

RECONSIDERATION OF S. J. R. 4

Having voted with the prevailing side, Mr. Wright moved to reconsider the vote by which the resolution, S. J. R. 4, was lost and said motion was adopted.

Yeas 66; Nays 32.

Yeas:

| | | | |
|----------|--------------|----------|-------------|
| Messrs.: | Berryman (W) | Brassell | Cameron |
| Agee | Blanton | Brown | Collier |
| Bassett | Bolton | Burgess | Collins (C) |

| | | | |
|----------|--------------|--------------|-----------|
| Crane | Hardin | Lybrand | Smith (P) |
| Crawford | Harper | Malone | Snell |
| Culver | Harris | Manley | Snodgrass |
| Dill | Haygood | Mays | Springer |
| Dobbs | Headley | McDonald | Starnes |
| Doss | Higginbotham | McElhaney | Thomas |
| Downing | Hill | McLain | Tuck |
| Edington | Hobbie | Meeks | Turnham |
| Ellis | Hogan | Neville | Watkins |
| Fine | Holladay | Owens (W.E.) | Williams |
| Foshee | Holman | Pearson | Wood |
| Garrett | Kilgore | Sessions | Wright |
| Graham | Laxson | Shumate | Young |
| Grayson | Lemley | Slate | |

—66

Nays:

| | | | |
|--------------|------------------|----------------|------------|
| Mr. Speaker | Collins (W) | Marr | Perloff |
| Adwell | Cook (Jefferson) | Mathews | Pruitt |
| Bank | Drake | McCorquodale | Smith (C) |
| Beck | Gafford | Meeks | Steagall |
| Berryman (R) | Gloor | Merrill | Stembridge |
| Bowers | Hain | Money | Waggoner |
| Brannan | House | Owen (Baldwin) | Weeks |
| Cherner | Jackson (T) | Pennington | Yeilding |

—32

And the resolution:

By Mr. Goodwyn:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall be allowed an additional three hundred dollars a month for expenses incurred in the performance of his duties, to be paid at the end of each month during his term.

RESOLVED FURTHER, That this order shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution

Was again taken up, again read at length and adopted.

Yeas 58; Nays 42.

Yeas:

| | | | |
|--------------|--------------|--------------|-----------|
| Messrs.: | Downing | Hobbie | Pearson |
| Agee | Edington | Hogan | Sessions |
| Bassett | Ellis | Holladay | Slate |
| Berryman (W) | Fine | Holman | Smith (P) |
| Blanton | Foshee | Kilgore | Snell |
| Bolton | Garrett | Laxson | Snodgrass |
| Brassell | Graham | Lemley | Springer |
| Brown | Grayson | Lybrand | Starnes |
| Burgess | Hardin | Manley | Thomas |
| Cameron | Harper | Mays | Tuck |
| Crane | Harris | McElhaney | Turnham |
| Crawford | Haygood | McLain | Watkins |
| Culver | Headley | Meade | Williams |
| Dill | Higginbotham | Neville | Young |
| Doss | Hill | Owens (W.E.) | |

—58

Nays:

| | | | |
|---------------|------------------|----------------|------------|
| Mr. Speaker | Cook (Jefferson) | McCorquodale | Shumate |
| Adwell | Dobbs | McDonald | Smith (C) |
| Bank | Drake | Meeks | Steagall |
| Beck | Gafford | Merrill | Stembridge |
| Berryman (R) | Gloor | Money | Stubbs |
| Bowers | Hain | Owen (Baldwin) | Waggoner |
| Brannan | House | Owens (W) | Weeks |
| Cherner | Jackson (T) | Pennington | Wood |
| Collier | Malone | Perloff | Wright |
| Collins (W) | Marr | Pruitt | Yeilding |
| Cook (Coffee) | Mathews | | |

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Which was a majority of the whole number elected to the House.

RECESS

On motion of Mr. Garrett the House recessed for thirty minutes.

The House reconvened. The Speaker called the House to order.

ADJOURNMENT

On motion of Mr. Garrett the House adjourned until Friday, March 17, 1967, at ten o'clock A. M.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, March 15, 1967

The House did not meet today.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, March 16, 1967

The House did not meet today.

NINTH DAY

House of Representatives
Montgomery, Alabama
Friday, March 17, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Culver | Jackson (F) | Perloff |
| Adwell | Dill | Jackson (T) | Pruitt |
| Agee | Dobbs | Jones | Sessions |
| Bank | Doss | Kilgore | Shumate |
| Bassett | Drake | Laxson | Slate |
| Beck | Edington | Lemley | Smith (C) |
| Berryman (R) | Ellis | Lybrand | Smith (P) |
| Berryman (W) | Fine | Malone | Snell |
| Blanton | Foshee | Manley | Snodgrass |
| Bolton | Gafford | Marr | Springer |
| Bowers | Garrett | Mays | Starnes |
| Brannan | Gloor | McCorquodale | Steagall |
| Brown | Graham | McDonald | Stembridge |
| Burgess | Hardin | McElhaney | Stubbs |
| Burgreen | Harper | McLain | Thomas |
| Cameron | Harris | Meade | Tuck |
| Cherner | Haygood | Meeks | Turnham |
| Collier | Headley | Merrill | Waggoner |
| Collins (C) | Hill | Money | Watkins |
| Collins (W) | Hobbie | Neville | Williams |
| Cook (Coffee) | Hogan | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Holladay | Owens (W) | Wright |
| Crane | Holman | Pearson | Yelding |
| Crawford | House | Pennington | Young |

—96

A quorum was present.

LEAVE OF ABSENCE

On motion of Mrs. Collins (C) leave of absence was granted to Mr. Downing.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 105. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 122. Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

Mr. Smith (C) Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 55 (with substitute). To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 145. To make an additional appropriation for the expenses of the Court of Appeals.

Ways and Means.

By Messrs. Neville, Meeks, Turnham, Higginbotham, Brassell, Thomas, Steagall, Blanton, Hain, Garrett, Crawford, Smith (P), Hardin, Cook (Jefferson), Hill, Meade, Edington, Beck, Bank, Snell and Stenbridge:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Constitution and Elections.

By Mr. Neville:

H. 147. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Judiciary.

By Mr. McCorquodale:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

Ways and Means.

By Messrs. Hain and Blanton (with notice and proof):

H. 149. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

Notice and Proof H. 149:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Dallas County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Dallas County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Selma Times Journal, a newspaper of general circulation published in Selma, Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 19, Feb. 26, March 5, and March 12, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me March 13, 1967.

CORNELIA L. MOMSON,
Notary Public.

By Mr. Collier (with notice and proof):

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Local Legislation No. 1.

Notice and Proof H. 150:

NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Elmore County may employ a Warden for the county jail and a cook to prepare food for county prisoners. The compensation of such assistants of the sheriff shall be paid by the County. The compensation of the jail warden shall be not less than \$325 nor more than \$375 a month. The compensation of such assistants shall be fixed by the sheriff, subject to approval by the County governing body.

Section 2. This Act is cumulative and shall take effect immediately upon its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23-67, 3-2-67, 3-9-67, and 3-16-67, all in the year 1967.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me 16 day of March, 1967.

LAVERNE C. JOHNSTON,
Notary Public.

By Messrs. Wright and Malone:

H. 151. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Ways and Means.

By Messrs. Dill, Crane, Thomas, Holman, Yeilding, Cherner, Adwell, Waggoner, Jackson (T), Money, House, Ellis, Gloor, Sessions, Bowers, Gafford, Cook (Jefferson) and Watkins:

H. 152. To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

Local Legislation No. 2.

By Mr. Marr:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Judiciary.

By Messrs. Springer, Hobbie, McElhaney, Cameron and Harris:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Local Legislation No. 1.

By Messrs. Thomas, Bank, Culver, Bowers, Brown, Meeks, Waggoner, House, Cook (Jefferson), Holman, Jackson (T), Ellis, Gloor, Adwell, Watkins, Gafford, Yeilding, Cherner, Dill, Crane and Sessions:

H. 155. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Constitution and Elections.

By Mr. Snell:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

State Administration.

By Messrs. Brown, Culver, Bank and Thomas:

H. 157. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Brown, Culver, Bank and Thomas:

H. 158. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 109,000 nor more than 115,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Bolton:

H. 159. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Judiciary.

By Mr. Cook (Coffee):

H. 160. To make an additional appropriation to the Uniform State Laws Commission.

Ways and Means.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Local Legislation No. 1.

Notice and Proof H. 161:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 163, H. 168, approved March 30, 1965 (Act of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows.

"Section 10. CLERKS. (a) The Circuit Clerk of Cullman County shall be the clerk of the Cullman County Intermediate Court.

"(b) The governing body of the county shall furnish, at county expense, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. The Clerk shall keep a seal, which shall be the official seal adopted by the court.

"(c) It shall be the duty of the clerks to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the Judge. The clerk shall keep a book in which must be entered the minutes of each day's proceedings during the sessions of the court, and the orders and judgments of the court in the order in which they are made or rendered. But the clerk shall not be required to record the proceedings after final determination of prosecutions except in such cases as he may be otherwise directed by the court.

"(d) The Clerk shall have the power and authority; (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and

issue all processes issuing out of the court, including affidavits, summonses, subpoenas, writ, executions, commitments and releases; (3) to approve bonds in civil and criminal cases, including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; and (6) to exercise all powers and authority which are now or may be hereafter conferred on Clerks of county courts."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was EDITOR of the CULLMAN TRIBUNE, a newspaper of general circulation published in CULLMAN County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 16, Feb. 23, March 2, and March 9, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 10th March, 1967.

FRED W. ABT,
Notary Public.

By Messrs. Marr, Hogan, Edington, Collins (C), Wood, Collins (W), Perloff and Smith (C):

H. 162. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by HB 52, Regular Session 1965, as approved August 26, 1965.

Local Legislation No. 3.

RESOLUTIONS

The following resolutions were introduced:

By Mrs. Collins (C), Messrs. Wood, Marr, Smith (C), Perloff, Hogan and Edington:

H. J. R. 38. WHEREAS, The death of Richard Murray on Tuesday, March fourteenth, nineteen hundred sixty-seven, has brought sorrow to his family and to his many friends, not only in Mobile and Point Clear, but over the State of Alabama and in other states as well; and

WHEREAS, Richard Murray was prominent all of his life in shipping circles, being a retired Vice President of Waterman Steamship Corporation of Mobile; and

WHEREAS, Richard Murray was always active in the business, civic and social life of Mobile, being at the time of his death a member of the Board of Directors of the First National Bank of Mobile, and of Southern Industries Corporation, and holding memberships in the Mobile and Lakewood Country Clubs, the Athelstan Club, and in several mystic societies, and was a veteran of World War I.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deplore the loss of Richard Murray, whose death deprives the community and the State of one of its leaders, and that we extend our heartfelt sympathy to his family; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Mr. Murray's wife and family.

On motion of Mrs. Collins (C) the rules were suspended and H. J. R. 38 was adopted.

Also:

By Mr. Bowers:

H. R. 39. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in reference to the pending bill, H. B. 152, a true copy of which is attached hereto and incorporated herein by reference:

1. Does this bill propose a local law within the meaning of Article 4, Section 110 of the Constitution of Alabama?

2. Does this bill propose a local law violative of Article 4, Section 105 of the Constitution?

3. Are the provisions of Section 4 of the bill violative of Article 6, Section 158 of the Constitution?

4. Do the provisions of the bill provide for an unconstitutional delegation of judicial power?

RESOLVED FURTHER, That the Clerk of the House is directed to send forthwith to the Clerk of the Supreme Court of Alabama four true copies of this Resolution.

On motion of Mr. Bowers the rules were suspended and H. R. 39 was adopted.

Also:

By Messrs. Cameron and Hobbie:

H. J. R. 40. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a committee composed of two members of the House and two members of the Senate, to be appointed by the Speaker and President of the Senate respectively, to investigate the feasibility and propriety of purchasing a new limousine for the official use of the Governor. Said committee is to report back its findings not later than the first week of the next regular session.

On motion of Mr. Cameron the rules were suspended and H. J. R. 40 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 3. Naming the new women's dormitory at Jacksonville State University the "Ada Curtiss Hall".

Also:

S. J. R. 5. Expressing gratitude to Mr. Hatchett Chandler of Fort Morgan.

Also:

S. J. R. 10. Naming the new South Women's Dormitory Dining Hall at Auburn the "Leila Avary Terrell Hall".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. Ratifying the proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency.

Also:

S. J. R. 7. Mourning the death of Mrs. Marie Phillips who was killed by a tornado in Empire, Alabama.

Also:

S. J. R. 8. Mourning the death of Dennis Wright who was killed as a result of a tornado in Walker County.

Also:

S. J. R. 9. Mourning the death of Miss Susan Smith of Gadsden.

Also:

S. J. R. 14. Designating March 10, 1967 as "Houston Cole Day in Alabama".

Also:

S. J. R. 15. Wishing the members and sponsors of the Alabama YMCA Youth Legislature success in their forthcoming session.

Also:

S. J. R. 17. Welcoming to our State the Junior Misses from throughout the nation.

Also:

S. J. R. 18. Expressing best wishes to the Friendly Sons of St. Patrick, March 17, 1967.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Was taken up.

Mr. Shumate offered the following amendment to the bill, H. 114:

Strike out section 1 of the bill and insert the following in lieu thereof:

Section 1. All school lunchroom managers, assistants and workers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Walker County shall each be paid not less than eight dollars (\$8) per day for each day actually engaged in the performance of their duties.

And the amendment was adopted.

Yeas 62; Nays 2.

Yeas:

| | | | |
|--------------|-------------|-------------|----------|
| Mr. Speaker | Blanton | Collins (W) | Drake |
| Adwell | Bowers | Crane | Edington |
| Agee | Brannan | Crawford | Ellis |
| Bassett | Cameron | Dill | Fine |
| Berryman (R) | Cherner | Dobbs | Hardin |
| Berryman (W) | Collins (C) | Doss | Harper |

| | | | |
|-------------|----------------|------------|------------|
| Hill | Marr | Pennington | Starnes |
| Hobbie | Mays | Perloff | Steagall |
| Hogan | McCorquodale | Pruitt | Stembridge |
| Holladay | McDonald | Sessions | Stubbs |
| Holman | McElhaney | Shumate | Tuck |
| Jackson (F) | Meeks | Slate | Watkins |
| Jackson (T) | Merrill | Smith (C) | Williams |
| Jones | Money | Smith (P) | Wood |
| Lemley | Owen (Baldwin) | Snell | Wright |
| Lybrand | Owens (W) | | |

—62

Nays: Messrs. Gafford and Kilgore

—2

And said bill, H. 114, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|--------------|-------------|----------------|------------|
| Mr. Speaker | Drake | Jackson (T) | Pennington |
| Adwell | Edington | Jones | Perloff |
| Agee | Ellis | Kilgore | Pruitt |
| Bassett | Fine | Lemley | Shumate |
| Beck | Foshee | Lybrand | Slate |
| Berryman (R) | Gafford | Manley | Smith (C) |
| Berryman (W) | Garrett | Marr | Smith (P) |
| Blanton | Graham | Mays | Snodgrass |
| Brannan | Grayson | McCorquodale | Starnes |
| Brassell | Hardin | McDonald | Steagall |
| Cameron | Harper | McElhaney | Stembridge |
| Cherner | Haygood | McLain | Stubbs |
| Collier | Headley | Meeks | Tuck |
| Collins (C) | Hill | Merrill | Waggoner |
| Collins (W) | Hobbie | Money | Watkins |
| Crawford | Hogan | Neville | Williams |
| Culver | Holladay | Owen (Baldwin) | Wood |
| Dill | Holman | Owens (W) | Wright |
| Dobbs | Jackson (F) | Pearson | Young |
| Doss | | | |

—77

And the bill:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Was taken up.

Mr. Holladay offered the following substitute for the bill, H. 26:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative reference service and a legislative council (General Acts 1945, p. 190, 191) is hereby amended to read as follows:

"Section 4. There is hereby created a continuing legislative committee to be known as the Legislative Council of the State of Alabama.

The Legislative Council shall consist of the President and President pro tempore of the Senate, four (4) members of the Senate elected by the Senate, the Speaker and Speaker pro tempore of the House of Representatives, and six (6) members of the House of Representatives elected by the House of Representatives, the chairman of the Senate's standing committees on Finance and Taxation and on the Judiciary, and the chairmen of the standing committees on Ways and Means and on the Judiciary of the House; if the Speaker of the House, Speaker pro tempore, or President pro tempore is also the chairman of one of these standing committees, then the vice chairman of the committee shall serve on the Council in the place of the chairman. The House and Senate members shall be elected at the 1967 regular session of the Legislature, and at the regular session held every four years thereafter. Within ten (10) days after the whole membership of the Legislative Council is named as provided in this section, it shall convene at a place and time designated by the President of the Senate in written notice given to each member at least five (5) days in advance to select a Chairman and Vice-Chairman from the membership. The Legislative Council shall meet thereafter at the request of the Chairman or as its members shall determine, in both cases upon written notice by the Secretary at least five (5) days in advance, provided, however, that the Legislative Council shall meet at least once each three (3) months. The elected members of the Legislative Council shall serve during their term as legislators, or until their successors are elected as hereinbefore provided. The Legislative Council may make temporary appointments to fill vacancies in its membership. Decisions of the membership in the name of the Legislative Council may be made by a majority of members present and voting at any meeting provided a quorum is in attendance. A quorum shall consist of a total of any nine (9) members who are representative of both the House of Representatives and the Senate. The Director of the Legislative Reference Service hereinbefore provided for shall serve as Secretary of the Legislative Council without salary other than his compensation as Director of the Legislative Reference Service. The present members of the Council may serve until their successors are elected as provided in this Act, as amended."

Section 2. This Act shall take effect immediately upon its enactment.

And the substitute was adopted.

Yeas 77; Nays 3.

Yeas:

| | | | |
|--------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pennington |
| Adwell | Doss | Jones | Sessions |
| Agee | Drake | Kilgore | Shumate |
| Bank | Edington | Lemley | Slate |
| Bassett | Fine | Lybrand | Smith (C) |
| Beck | Foshee | Manley | Smith (P) |
| Berryman (R) | Gafford | Marr | Snodgrass |
| Berryman (W) | Garrett | Mays | Springer |
| Blanton | Graham | McCorquodale | Starnes |
| Bolton | Hardin | McDonald | Steagall |
| Brannan | Harper | McElhaney | Stembridge |
| Brassell | Haygood | McLain | Stubbs |
| Burgess | Headley | Meeks | Tuck |
| Cameron | Hill | Merrill | Waggoner |
| Cherner | Hobbie | Money | Watkins |
| Collier | Hogan | Neville | Williams |
| Collins (C) | Holman | Owen (Baldwin) | Wright |
| Crane | House | Owens (W) | Yeilding |
| Crawford | Jackson (F) | Pearson | Young |
| Dill | | | |

Nays: Messrs. Collins (W), Perloff and Wood —3

And said bill, H. 26, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 8.

Yeas:

| | | | |
|--------------|----------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Shumate |
| Agee | Drake | Jones | Slate |
| Bassett | Fine | Kilgore | Smith (C) |
| Beck | Foshee | Lemley | Smith (P) |
| Berryman (R) | Gafford | Lybrand | Snodgrass |
| Berryman (W) | Garrett | Marr | Springer |
| Blanton | Graham | Mays | Starnes |
| Brannan | Hardin | McCorquodale | Steagall |
| Brassell | Harper | McDonald | Stembridge |
| Brown | Haygood | McElhaney | Stubbs |
| Burgess | Headley | McLain | Tuck |
| Cameron | Hill | Merrill | Watkins |
| Collier | Hobbie | Money | Williams |
| Crane | Hogan | Neville | Wright |
| Crawford | Holladay | Owen (Baldwin) | Yeilding |
| Culver | Holman | Owens (W) | Young |
| Dill | House | Pearson | |

—71

Nays:

| | | | |
|----------|-------------|----------|---------|
| Messrs.: | Collins (C) | Edington | Perloff |
| Bolton | Collins (W) | Meeks | Wood |
| Cherner | | | |

—8

And the bill:

H. 68. To make an appropriation to the State Department of Mental Health.

This bill appropriates from the State General Fund to the Department of Mental Health the amount of \$500,000.00 for the operation of the hospital division of said Department for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|-------------|
| Mr. Speaker | Brown | Doss | Haygood |
| Adwell | Burgess | Drake | Headley |
| Agee | Cameron | Edington | Hill |
| Bank | Cherner | Ellis | Hobbie |
| Bassett | Collier | Fine | Hogan |
| Beck | Collins (C) | Foshee | Holladay |
| Berryman (R) | Collins (W) | Gafford | Holman |
| Berryman (W) | Cook (Coffee) | Garrett | House |
| Blanton | Cook (Jefferson) | Gloor | Jackson (F) |
| Bolton | Crawford | Graham | Jackson (T) |
| Bowers | Culver | Hardin | Jones |
| Brannan | Dill | Harper | Kilgore |
| Brassell | Dobbs | Harris | Laxson |

| | | | |
|--------------|----------------|------------|----------|
| Lemley | Merrill | Slate | Thomas |
| Lybrand | Money | Smith (C) | Tuck |
| Manley | Neville | Smith (P) | Waggoner |
| Marr | Owen (Baldwin) | Snell | Watkins |
| Mays | Owens (W) | Snodgrass | Williams |
| McCorquodale | Pearson | Springer | Wood |
| McDonald | Pennington | Starnes | Wright |
| McElhaney | Perloff | Steagall | Yeilding |
| McLain | Pruitt | Stembridge | Young |
| Meeks | Shumate | Stubbs | |

—91

And the bill:

H. 69 (with amendment). To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

This bill appropriates from the State General Fund, for the fiscal year ending September 30, 1967, to the Department of Mental Health, the amount of \$450,000.00 to be used on a matching basis with federal funds.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS & MEANS COMMITTEE

AMENDMENT TO H. B. 69

Amend H. B. 69 by adding to the end of Section 2 the following:

"The plans, specifications, and building construction shall be under the supervision and direction of the State Building Commission of 1945 (created under Act No. 129, approved June 16, 1945)."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Dill | House | Perloff |
| Adwell | Dobbs | Jackson (F) | Pruitt |
| Agee | Doss | Jackson (T) | Sessions |
| Bank | Drake | Jones | Shumate |
| Bassett | Edington | Kilgore | Slate |
| Beck | Ellis | Laxson | Smith (C) |
| Berryman (W) | Fine | Lemley | Smith (P) |
| Blanton | Foshee | Lybrand | Snell |
| Bolton | Gafford | Manley | Snodgrass |
| Bowers | Garrett | Marr | Springer |
| Brannan | Gloor | Mays | Steagall |
| Brassell | Graham | McCorquodale | Stembridge |
| Brown | Hardin | McElhaney | Stubbs |
| Cameron | Harper | McLain | Thomas |
| Cherner | Harris | Meeks | Tuck |
| Collier | Haygood | Merrill | Waggoner |
| Collins (C) | Headley | Money | Watkins |
| Collins (W) | Hill | Neville | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hogan | Owens (W) | Wright |
| Crane | Holladay | Pearson | Yeilding |
| Crawford | Holman | Pennington | Young |
| Culver | | | |

—89

And said bill, H. 69, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Crawford | Holman | Perloff |
| Adwell | Culver | House | Pruitt |
| Agee | Dill | Jackson (F) | Sessions |
| Bank | Dobbs | Jackson (T) | Shumate |
| Bassett | Doss | Jones | Slate |
| Beck | Drake | Kilgore | Smith (C) |
| Berryman (R) | Edington | Laxson | Smith (P) |
| Berryman (W) | Ellis | Lemley | Snell |
| Blanton | Fine | Lybrand | Snodgrass |
| Bolton | Foshee | Manley | Springer |
| Bowers | Gafford | Marr | Steagall |
| Brannan | Garrett | Mays | Stembridge |
| Brassell | Gloor | McCorquodale | Stubbs |
| Brown | Graham | McElhaney | Thomas |
| Burgess | Hardin | McLain | Tuck |
| Cameron | Harper | Meeks | Waggoner |
| Cherner | Harris | Merrill | Watkins |
| Collier | Haygood | Money | Williams |
| Collins (C) | Headley | Neville | Wood |
| Collins (W) | Hill | Owen (Baldwin) | Wright |
| Cook (Coffee) | Hobbie | Owens (W) | Yeilding |
| Cook (Jefferson) | Hogan | Pearson | Young |
| Crane | Holladay | Pennington | |

—91

And the bill:

H. 9. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

This bill appropriates from the State General Fund \$2,800.00 for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-------------|----------------|
| Mr. Speaker | Collier | Garrett | Kilgore |
| Adwell | Collins (C) | Gloor | Laxson |
| Agee | Collins (W) | Graham | Lemley |
| Bank | Cook (Coffee) | Grayson | Lybrand |
| Bassett | Cook (Jefferson) | Hardin | Manley |
| Beck | Crane | Harper | Marr |
| Berryman (R) | Crawford | Haygood | Mays |
| Berryman (W) | Culver | Headley | McCorquodale |
| Blanton | Dill | Hill | McDonald |
| Bolton | Dobbs | Hobbie | McElhaney |
| Bowers | Doss | Hogan | McLain |
| Brannan | Drake | Holladay | Meeks |
| Brassell | Edington | Holman | Merrill |
| Brown | Ellis | House | Money |
| Burgess | Fine | Jackson (F) | Neville |
| Cameron | Foshee | Jackson (T) | Owen (Baldwin) |
| Cherner | Gafford | Jones | Owens (W) |

| | | | |
|------------|-----------|------------|----------|
| Pearson | Smith (C) | Steagall | Watkins |
| Pennington | Smith (P) | Stembridge | Williams |
| Perloff | Snell | Stubbs | Wood |
| Pruitt | Snodgrass | Thomas | Wright |
| Sessions | Springer | Tuck | Yeilding |
| Shumate | Starnes | Waggoner | Young |
| Slate | | | |

—93

And the bill:

H. 11. To make an additional appropriation to the Agricultural Center Board.

This bill appropriates from the State General Fund the amount of \$9,980.00 for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Crawford | Holladay | Pennington |
| Adwell | Culver | Holman | Perloff |
| Agee | Dill | House | Pruitt |
| Bank | Dobbs | Jackson (F) | Sessions |
| Bassett | Doss | Jackson (T) | Shumate |
| Beck | Drake | Jones | Slate |
| Berryman (R) | Edington | Kilgore | Smith (C) |
| Berryman (W) | Ellis | Laxson | Smith (P) |
| Blanton | Fine | Lemley | Snell |
| Bolton | Foshee | Lybrand | Snodgrass |
| Bowers | Gafford | Manley | Springer |
| Brannan | Garrett | Mays | Starnes |
| Brassell | Gloor | McCorquodale | Steagall |
| Brown | Graham | McDonald | Stubbs |
| Burgess | Hardin | McElhaney | Tuck |
| Cameron | Harper | Meeks | Waggoner |
| Cherner | Harris | Merrill | Watkins |
| Collier | Haygood | Money | Williams |
| Collins (C) | Headley | Neville | Wood |
| Collins (W) | Hill | Owens (W) | Wright |
| Cook (Jefferson) | Hobbie | Pearson | Young |
| Crane | Hogan | | |

—86

MOTIONS TO TABLE ADOPTED

On motion of Mr. Pruitt the motion of Mr. Burgess to postpone consideration of the bill, H. 67, until the twelfth legislative day, was laid upon the table.

Yeas 55; Nays 34.

Yeas:

| | | | |
|--------------|---------------|----------|----------|
| Mr. Speaker | Brannan | Crane | Graham |
| Bank | Brassell | Culver | Hardin |
| Bassett | Brown | Dobbs | Harper |
| Beck | Cameron | Drake | Harris |
| Berryman (R) | Collier | Edington | Headley |
| Berryman (W) | Collins (W) | Fine | Hill |
| Blanton | Cook (Coffee) | Foshee | Holladay |

EXTRAORDINARY SESSION

169

| | | | |
|--------------|----------------|------------|----------|
| Jackson (T) | McDonald | Pearson | Springer |
| Lemley | McElhaney | Pennington | Steagall |
| Lybrand | McLain | Pruitt | Stubbs |
| Manley | Merrill | Sessions | Thomas |
| Marr | Money | Shumate | Tuck |
| Mays | Neville | Smith (C) | Wood |
| McCorquodale | Owen (Baldwin) | Smith (P) | |

—55

Nays:

| | | | |
|------------------|---------|-------------|------------|
| Messrs.: | Dill | Jackson (F) | Starnes |
| Adwell | Doss | Jones | Stembridge |
| Agee | Ellis | Kilgore | Waggoner |
| Bowers | Gafford | Laxson | Watkins |
| Burgess | Garrett | Meeks | Williams |
| Cherner | Gloor | Owens (W) | Wright |
| Collins (C) | Hobbie | Perloff | Yeilding |
| Cook (Jefferson) | Holman | Slate | Young |
| Crawford | House | Snodgrass | |

—34

On motion of Mr. Pruitt, the motion of Mr. Meeks to postpone consideration of the bill, H. 67, until the tenth legislative day, was laid upon the table.

Yeas 47; Nays 41.

Yeas:

| | | | |
|---------------|---------|--------------|------------|
| Mr. Speaker | Culver | Holladay | Pennington |
| Agee | Dill | Jackson (F) | Pruitt |
| Bassett | Drake | Laxson | Sessions |
| Beck | Fine | Lybrand | Smith (C) |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Berryman (W) | Graham | Marr | Snodgrass |
| Blanton | Hardin | McCorquodale | Springer |
| Brassell | Harper | McDonald | Steagall |
| Cameron | Harris | McElhaney | Thomas |
| Collier | Haygood | McLain | Tuck |
| Collins (W) | Headley | Merrill | Williams |
| Cook (Coffee) | Hill | Pearson | |

—47

Nays:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Edington | Kilgore | Snell |
| Adwell | Ellis | Lemley | Starnes |
| Bowers | Gafford | Mays | Stembridge |
| Brannan | Garrett | Meeks | Stubbs |
| Burgess | Gloor | Money | Waggoner |
| Cherner | Hobbie | Neville | Watkins |
| Collins (C) | Hogan | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Holman | Owens (W) | Wright |
| Crane | House | Perloff | Yeilding |
| Crawford | Jackson (T) | Slate | Young |
| Doss | Jones | | |

—41

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until Tuesday, March 21, 1967, at twelve o'clock, noon, was lost.

Yeas 22; Nays 69.

Yeas:

| | | | |
|------------------|----------|----------|----------|
| Messrs.: | Crane | Hogan | Slate |
| Adwell | Doss | Holman | Snell |
| Bowers | Edington | House | Thomas |
| Burgess | Ellis | Pearson | Waggoner |
| Collins (C) | Gafford | Perloff | Yeilding |
| Cook (Jefferson) | Garrett | Sessions | |

—22

Nays:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Culver | Jackson (T) | Owens (W) |
| Agee | Dill | Jones | Pennington |
| Bank | Dobbs | Kilgore | Shumate |
| Bassett | Drake | Laxson | Smith (C) |
| Beck | Fine | Lybrand | Smith (P) |
| Berryman (R) | Foshee | Manley | Snodgrass |
| Berryman (W) | Gloor | Marr | Springer |
| Blanton | Graham | Mays | Starnes |
| Bolton | Hardin | McCorquodale | Steagall |
| Brannan | Harper | McDonald | Stembridge |
| Brassell | Harris | McElhaney | Stubbs |
| Brown | Haygood | McLain | Tuck |
| Cameron | Headley | Meeks | Watkins |
| Cherner | Hill | Merrill | Williams |
| Collier | Hobbie | Money | Wood |
| Collins (W) | Holladay | Neville | Wright |
| Cook (Coffee) | Jackson (F) | Owen (Baldwin) | Young |
| Crawford | | | |

—69

H. 67 POSTPONED

On motion of Mr. Pruitt, consideration of the bill, H. 67, was postponed until the eleventh legislative day.

BILLS ON THIRD READING RESUMED

H. 43 (with amendment). To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

This bill appropriates from the State General Fund for the fiscal year ending September 30, 1967, the amount of \$25,000.00.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 43

AMEND H. B. 43 by deleting from Section I of said bill the following: "and for each fiscal year thereafter,"

Further amend H. B. 43 by deleting the whole of Section 3 and renumbering Section 4 as Section 3.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Dill | House | Pennington |
| Adwell | Dobbs | Jackson (F) | Perloff |
| Agee | Doss | Jackson (T) | Pruitt |
| Bank | Drake | Jones | Sessions |
| Bassett | Edington | Kilgore | Slate |
| Beck | Ellis | Laxson | Smith (C) |
| Berryman (R) | Fine | Lemley | Smith (P) |
| Berryman (W) | Foshee | Lybrand | Snell |
| Blanton | Gafford | Manley | Snodgrass |
| Bolton | Garrett | Marr | Springer |
| Bowers | Gloor | Mays | Steagall |
| Brannan | Graham | McCorquodale | Stembridge |
| Brassell | Hardin | McDonald | Stubbs |
| Brown | Harper | McElhaney | Thomas |
| Cameron | Harris | McLain | Tuck |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Crane | Holladay | Owens (W) | Yeilding |
| Crawford | Holman | Pearson | Young |
| Culver | | | |

—89

And said bill, H. 43, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Crawford | Holman | Pearson |
| Adwell | Culver | House | Pennington |
| Agee | Dill | Jackson (F) | Perloff |
| Bank | Dobbs | Jackson (T) | Pruitt |
| Bassett | Doss | Jones | Sessions |
| Beck | Drake | Kilgore | Slate |
| Berryman (R) | Edington | Laxson | Smith (C) |
| Berryman (W) | Ellis | Lemley | Smith (P) |
| Blanton | Foshee | Lybrand | Snell |
| Bolton | Gafford | Manley | Snodgrass |
| Bowers | Garrett | Marr | Springer |
| Brannan | Gloor | Mays | Steagall |
| Brassell | Graham | McCorquodale | Stembridge |
| Brown | Hardin | McDonald | Stubbs |
| Burgess | Harper | McElhaney | Thomas |
| Cameron | Harris | McLain | Tuck |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Yeilding |
| Crane | Holladay | Owens (W) | Young |

—88

UNANIMOUS CONSENT GRANTED

Mr. Bank requested unanimous consent to add his name as a co-author of the bill, H. 66, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 66. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

This bill authorizes the Alabama Corrections Institution Finance Authority to increase the amount of bonds issued in an amount not to exceed \$10,000,000. with debt service requirements approximately \$800,000. per year.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

| | | | |
|---------------|----------|----------------|------------|
| Mr. Speaker | Dill | Jackson (F) | Pennington |
| Adwell | Dobbs | Jackson (T) | Perloff |
| Agee | Doss | Jones | Pruitt |
| Bassett | Drake | Kilgore | Slate |
| Beck | Ellis | Laxson | Smith (C) |
| Berryman (R) | Foshee | Lemley | Smith (P) |
| Berryman (W) | Gafford | Lybrand | Snell |
| Blanton | Garrett | Manley | Springer |
| Bolton | Gloor | Marr | Starnes |
| Bowers | Graham | Mays | Steagall |
| Brannan | Hardin | McCorquodale | Stembridge |
| Brassell | Harper | McDonald | Stubbs |
| Burgess | Harris | McElhanev | Thomas |
| Cameron | Haygood | McLain | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Hill | Merrill | Watkins |
| Collins (W) | Hobbie | Money | Williams |
| Cook (Coffee) | Hogan | Neville | Wood |
| Crane | Holladay | Owen (Baldwin) | Wright |
| Crawford | Holman | Owens (W) | Yeilding |
| Culver | House | Pearson | Young |

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 19. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the Senate adjourns today, March 16, it adjourn to meet again on Tuesday, March 21, and that when the House adjourns on Friday, March 17, it adjourn to meet again on Tuesday, March 21.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 19 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 49 (with amendment). To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

It is estimated that this bill will increase the State General Fund by approximately \$4,000,000. per year.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS

Committee Amendment to H. B. No. 49

Section 6 of said bill shall be amended to read as follows:

All State money deposited in State Depositaries in demand accounts and time deposits open account shall be secured as required by Title 5, Section 119, as amended, and Title 55, Section 379, et seq., Alabama Code of 1940; provided, however, that for amounts in time deposits open account there may also be accepted as security for said deposits bonds and other securities issued by any agency or instrumentality of the United States and of the State of Alabama; and, in amounts not to exceed the capita and surplus of the particular depositary, bonds and other securities of any county and of any incorporated municipality in Alabama. The State Treasurer is authorized to disapprove any security offered or pledged as collateral. No security shall be required for the amount of any deposit or account to the extent that said deposit or account is insured by Federal Deposit Insurance Corporation.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|-------------|
| Mr. Speaker | Brown | Doss | Haygood |
| Adwell | Burgess | Drake | Headley |
| Agee | Cameron | Edington | Hill |
| Bank | Cherner | Ellis | Hobbie |
| Bassett | Collier | Fine | Holladay |
| Beck | Collins (W) | Foshee | Holman |
| Berryman (R) | Cook (Coffee) | Gafford | House |
| Berryman (W) | Cook (Jefferson) | Garrett | Jackson (F) |
| Blanton | Crane | Gloor | Jackson (T) |
| Bolton | Crawford | Graham | Jones |
| Bowers | Culver | Hardin | Kilgore |
| Brannan | Dill | Harper | Laxson |
| Brassell | Dobbs | Harris | Lemley |

| | | | |
|--------------|----------------|------------|----------|
| Lybrand | Neville | Slate | Thomas |
| Manley | Owen (Baldwin) | Smith (C) | Tuck |
| Marr | Owens (W) | Smith (P) | Waggoner |
| Mays | Pearson | Snell | Watkins |
| McCorquodale | Pennington | Springer | Williams |
| McDonald | Perloff | Starnes | Wood |
| McElhaney | Pruitt | Steagall | Wright |
| McLain | Sessions | Stembridge | Yeilding |
| Meeks | Shumate | Stubbs | Young |
| Merrill | | | |

—89

Mr. Snell offered the following amendment to the bill, H. 49, as amended:

Amend House Bill 49 by striking therefrom Section 4 and by substituting in lieu thereof the following:

"Section 4. The State Treasurer is authorized to execute contracts with the state depositaries covering time deposits open account providing that no funds may be withdrawn from said account except upon thirty-day notice in writing or for the minimum period of notice prescribed by applicable banking regulations then in force and effect. The rate of interest shall be seventy-five (75%) per cent of the most recent four weeks average prices of the ninety-one day United States Treasury bill auction, provided the rate shall not exceed the maximum permitted by applicable banking regulations."

The motion of Mr. Pennington to lay on the table the amendment offered by Mr. Snell was lost.

Yeas 36; Nays 54.

Yeas:

| | | | |
|--------------|---------|-------------|-----------|
| Mr. Speaker | Dobbs | House | Shumate |
| Adwell | Doss | Jackson (T) | Slate |
| Beck | Drake | Jones | Smith (P) |
| Berryman (R) | Fine | Laxson | Snodgrass |
| Berryman (W) | Gafford | Lemley | Stubbs |
| Bowers | Gloor | McDonald | Waggoner |
| Collins (C) | Graham | McLain | Watkins |
| Crane | Headley | Merrill | Williams |
| Dill | Holman | Pennington | Yeilding |

—36

Nays:

| | | | |
|-------------|------------------|----------------|------------|
| Messrs.: | Cook (Jefferson) | Jackson (F) | Perloff |
| Agee | Crawford | Kilgore | Sessions |
| Bank | Culver | Lybrand | Smith (C) |
| Bassett | Edington | Manley | Snell |
| Blanton | Eliis | Marr | Springer |
| Bolton | Foshee | Mays | Starnes |
| Brannan | Garrett | McCorquodale | Steagall |
| Brassell | Hardin | McElhaney | Stembridge |
| Brown | Harper | Meeks | Thomas |
| Burgess | Harris | Money | Tuck |
| Cameron | Hill | Neville | Wood |
| Cherner | Hobbie | Owen (Baldwin) | Wright |
| Collier | Hogan | Owens (W) | Young |
| Collins (W) | Holladay | Pearson | |

—54

On motion of Mr. Pennington, the motion of Mr. Hill to postpone further consideration of the bill, H. 49, as amended, until the eleventh legislative day, was laid upon the table.

Yeas 73; Nays 15.

Yeas:

| | | | |
|---------------|----------|----------------|------------|
| Mr. Speaker | Culver | Holman | Pruitt |
| Adwell | Dobbs | House | Shumate |
| Agee | Doss | Jones | Smith (C) |
| Bank | Drake | Kilgore | Smith (P) |
| Bassett | Edington | Lybrand | Snell |
| Beck | Fine | Manley | Snodgrass |
| Berryman (R) | Foshee | Marr | Springer |
| Berryman (W) | Gafford | Mays | Starnes |
| Blanton | Gloor | McCorquodale | Steagall |
| Bolton | Graham | McElhanev | Stembridge |
| Bowers | Hardin | McLain | Stubbs |
| Brannan | Harper | Meeks | Thomas |
| Brassell | Haygood | Merrill | Tuck |
| Brown | Headley | Money | Watkins |
| Burgess | Hill | Owen (Baldwin) | Williams |
| Cameron | Hobbie | Owens (W) | Wood |
| Collins (W) | Hogan | Pearson | Wright |
| Cook (Coffee) | Holladay | Pennington | Young |
| Crawford | | | |

—73

Nays:

| | | | |
|----------|-------------|-------------|----------|
| Messrs.: | Ellis | Jackson (T) | Perloff |
| Cherner | Garrett | Laxson | Sessions |
| Crane | Harris | Lemley | Slate |
| Dill | Jackson (F) | Neville | Yeilding |

—15

The question was then on the adoption of the amendment offered by Mr. Snell to the bill, H. 49, as amended, and said amendment was adopted.

Yeas 52; Nays 38.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Culver | Kilgore | Pearson |
| Agee | Edington | Lybrand | Perloff |
| Bank | Ellis | Manley | Sessions |
| Bassett | Foshee | Marr | Smith (C) |
| Blanton | Garrett | Mays | Snell |
| Bolton | Hardin | McCorquodale | Springer |
| Brannan | Harper | McDonald | Starnes |
| Brassell | Harris | McElhanev | Steagall |
| Brown | Hill | Meeks | Stembridge |
| Burgess | Hobbie | Money | Thomas |
| Cameron | Hogan | Neville | Tuck |
| Collier | Holladay | Owen (Baldwin) | Wood |
| Collins (W) | Jackson (F) | Owens (W) | Wright |
| Cook (Jefferson) | | | |

—52

Nays:

| | | | |
|--------------|----------|---------|-------------|
| Mr. Speaker | Cherner | Drake | Headley |
| Adwell | Crane | Fine | Holman |
| Beck | Crawford | Gafford | House |
| Berryman (R) | Dill | Gloor | Jackson (T) |
| Berryman (W) | Dobbs | Graham | Laxson |
| Bowers | Doss | Haygood | Lemley |

| | | | |
|------------|-----------|----------|----------|
| McLain | Shumate | Stubbs | Williams |
| Merrill | Slate | Waggoner | Yeilding |
| Pennington | Smith (P) | Watkins | Young |
| Pruitt | Snodgrass | | |

—38

Mr. Snell offered the following amendment to the bill, H. 49, as amended:

Amend House Bill 49 by striking therefrom Section 2 and by substituting in lieu thereof the following:

"Section 2. As much money as may be needed for current operational purposes of the Government, as determined by the State Treasurer with the advice of the Director of Finance, shall be maintained at all times in the State Treasury in cash or in demand deposits with state depository banks. Subject to the provisions of Section 3 hereof, the State Treasurer shall fairly apportion such demand deposits among state depositories throughout the State, giving due consideration to the value and importance of such deposits to the economy of the communities and the various areas of the State to be affected thereby, and to the capital structure and the reasonable value of the banking services rendered or to be rendered the State by individual depository banks and to the activity of the various accounts maintained therein."

MOTION TO ADJOURN LOST

The motion of Mr. Smith (C) that the House adjourn until Tuesday, March 21, 1967, at twelve o'clock, noon, was lost.

Yeas 11; Nays 62.

Yeas:

| | | | |
|----------|-------------|--------|----------|
| Messrs.: | Collins (C) | Graham | Jones |
| Agee | Crane | Hill | Sessions |
| Brassell | Garrett | House | Steagall |

—11

Nays:

| | | | |
|------------------|-------------|----------------|-----------|
| Mr. Speaker | Culver | Jackson (T) | Owens (W) |
| Adwell | Dill | Kilgore | Perloff |
| Bassett | Doss | Lemley | Shumate |
| Beck | Drake | Lybrand | Slate |
| Berryman (W) | Edington | Manley | Springer |
| Blanton | Ellis | Marr | Starnes |
| Bolton | Foshee | Mays | Stubbs |
| Bowers | Hardin | McDonald | Tuck |
| Brannan | Harper | McElhaney | Waggoner |
| Cameron | Harris | McLain | Watkins |
| Cherner | Haygood | Meeks | Williams |
| Collier | Hobbie | Merrill | Wood |
| Collins (W) | Hogan | Money | Wright |
| Cook (Coffee) | Holladay | Neville | Yeilding |
| Cook (Jefferson) | Holman | Owen (Baldwin) | Young |
| Crawford | Jackson (F) | | |

—62

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF H. 49, AS AMENDED

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time

deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

It is estimated that this bill will increase the State General Fund by approximately \$4,000,000. per year.

As amended, was again taken up.

On motion of Mr. Haygood the amendment offered by Mr. Snell to the bill, H. 49, as amended, was laid upon the table.

MOTION TO RECONSIDER POSTPONEMENT OF H. 67 TABLED

On motion of Mr. Burgess, the motion of Mr. Pruitt that the House reconsider the vote by which the bill, H. 67, was postponed until the eleventh legislative day, was laid upon the table.

Yeas 35; Nays 27.

Yeas:

| | | | |
|------------------|----------|-------------|----------------|
| Messrs.: | Culver | House | Owen (Baldwin) |
| Bank | Dill | Jackson (T) | Owens (W) |
| Brown | Edington | Jones | Perloff |
| Burgess | Ellis | Kilgore | Smith (P) |
| Cherner | Gafford | Laxson | Snodgrass |
| Collins (C) | Garrett | Lemley | Stubbs |
| Cook (Jefferson) | Gloor | Manley | Thomas |
| Crane | Hill | Mays | Yeilding |
| Crawford | Hobbie | Money | Young |

—35

Nays:

| | | | |
|--------------|---------|--------------|------------|
| Mr. Speaker | Fine | McCorquodale | Smith (C) |
| Beck | Graham | McDonald | Starnes |
| Berryman (R) | Hardin | McElhaney | Steagall |
| Berryman (W) | Hogan | McLain | Stembridge |
| Brassell | Holman | Meeks | Wood |
| Cameron | Lybrand | Neville | Wright |
| Drake | Marr | Pruitt | |

—27

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF H. 49, AS AMENDED

H. 49. To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

It is estimated that this bill will increase the State General Fund by approximately \$4,000,000. per year.

As amended, was again taken up.

Mr. Pennington offered the following amendment to the bill, H. 49, as amended:

Amend House Bill 49 as amended by striking the last sentence in Section 4 thereof and substituting therefor the following:

"The annual rate of interest on time deposits, open account shall be a rate of one-half of one percentum ($\frac{1}{2}$ of 1%) less than the average for the most recent four weeks of the prices of the ninety-one day U. S. Treasury bill auction, and provided that such rate shall not exceed the maximum permitted by applicable banking regulations."

MOTION TO ADJOURN LOST

The motion of Mr. Smith that the House adjourn until Tuesday, March 21, 1967, at twelve o'clock, noon, was lost.

Yeas 10; Nays 77.

Yeas:

| | | | |
|----------|-----------|---------|-----------|
| Messrs.: | Harper | Pearson | Smith (C) |
| Dill | McElhaney | Perloff | Springer |
| Doss | Neville | Slate | |

—10

Nays:

| | | | |
|---------------|------------------|--------------|----------------|
| Mr. Speaker | Cook (Jefferson) | Holladay | Owen (Baldwin) |
| Adwell | Crane | Holman | Owens (W) |
| Agee | Crawford | House | Pennington |
| Bank | Culver | Jackson (F) | Pruitt |
| Bassett | Dobbs | Jackson (T) | Shumate |
| Beck | Drake | Jones | Smith (P) |
| Berryman (R) | Edington | Kilgore | Snodgrass |
| Berryman (W) | Ellis | Lemley | Starnes |
| Blanton | Fine | Lybrand | Steagall |
| Bolton | Foshee | Malone | Stembridge |
| Bowers | Gafford | Manley | Stubbs |
| Brannan | Garrett | Marr | Tuck |
| Brassell | Gloor | Mays | Waggoner |
| Brown | Graham | McCorquodale | Watkins |
| Burgess | Hardin | McDonald | Williams |
| Cameron | Harris | McLain | Wood |
| Cherner | Headley | Meeks | Wright |
| Collier | Hill | Merrill | Yeilding |
| Collins (W) | Hobbie | Money | Young |
| Cook (Coffee) | | | |

—77

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF H. 49, AS AMENDED

The motion of Mr. Snell to lay on the table the amendment offered by Mr. Pennington to the bill, H. 49, as amended, heretofore set out, was lost.

Yeas 31; Nays 60.

Yeas:

| | | | |
|-------------|-------------|----------------|------------|
| Messrs.: | Foshee | Marr | Slate |
| Bassett | Hardin | Mays | Snell |
| Blanton | Harper | McElhaney | Springer |
| Bolton | Hill | Meeks | Steagall |
| Brannan | Hogan | Money | Stembridge |
| Brassell | Holladay | Owen (Baldwin) | Thomas |
| Brown | Jackson (F) | Owens (W) | Wood |
| Collins (W) | Malone | Sessions | Yeilding |

—31

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Culver | Hobbie | Pennington |
| Adwell | Dill | Holman | Perloff |
| Agee | Dobbs | House | Pruitt |
| Beck | Doss | Jackson (T) | Shumate |
| Berryman (R) | Drake | Jones | Smith (C) |
| Berryman (W) | Edington | Kilgore | Smith (P) |
| Bowers | Ellis | Laxson | Snodgrass |
| Cameron | Fine | Lemley | Starnes |
| Cherner | Gafford | Lybrand | Stubbs |
| Collier | Garrett | Manley | Tuck |
| Collins (C) | Gloor | McCorquodale | Waggoner |
| Cook (Coffee) | Graham | McLain | Watkins |
| Cook (Jefferson) | Harris | Merrill | Williams |
| Crane | Haygood | Neville | Wright |
| Crawford | Headley | Pearson | Young |

—60

The question was then on the adoption of the amendment offered by Mr. Pennington to the bill, H. 49, as amended, and said amendment was adopted.

Yeas 59; Nays 32.

Yeas:

| | | | |
|---------------|----------|--------------|-----------|
| Mr. Speaker | Crane | Hobbie | Pruitt |
| Adwell | Crawford | Holman | Shumate |
| Agee | Dill | House | Smith (C) |
| Beck | Dobbs | Jackson (T) | Smith (P) |
| Berryman (R) | Doss | Jones | Snodgrass |
| Berryman (W) | Drake | Kilgore | Starnes |
| Blanton | Edington | Laxson | Stubbs |
| Bowers | Ellis | Lemley | Tuck |
| Brassell | Fine | Lybrand | Waggoner |
| Brown | Gafford | Manley | Watkins |
| Burgess | Garrett | McCorquodale | Williams |
| Cameron | Gloor | McDonald | Wright |
| Collier | Graham | McLain | Yelding |
| Collins (C) | Harris | Merrill | Young |
| Cook (Coffee) | Headley | Pennington | |

—59

Nays:

| | | | |
|-------------|-------------|----------------|------------|
| Messrs.: | Harper | Mays | Sessions |
| Bank | Haygood | McElhaney | Slate |
| Bolton | Hill | Meeks | Snell |
| Brannan | Hogan | Money | Springer |
| Cherner | Holladay | Neville | Steagall |
| Collins (W) | Jackson (F) | Owen (Baldwin) | Stembridge |
| Culver | Malone | Owens (W) | Thomas |
| Foshee | Marr | Perloff | Wood |
| Hardin | | | |

—32

And said bill, H. 49, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|-------------|---------|--------------|---------|
| Mr. Speaker | Bank | Berryman (R) | Bolton |
| Adwell | Bassett | Berryman (W) | Bowers |
| Agee | Beck | Blanton | Brannan |

| | | | |
|------------------|-------------|----------------|------------|
| Brassell | Foshee | Lybrand | Sessions |
| Brown | Gafford | Malone | Shumate |
| Burgess | Garrett | Manley | Slate |
| Cameron | Gloor | Marr | Smith (C) |
| Cherner | Graham | Mays | Smith (P) |
| Collier | Harper | McCorquodale | Snodgrass |
| Collins (C) | Harris | McDonald | Springer |
| Collins (W) | Haygood | McElhaney | Starnes |
| Cook (Coffee) | Headley | McLain | Steagall |
| Cook (Jefferson) | Hill | Meeks | Stembridge |
| Crane | Hobbie | Merrill | Stubbs |
| Crawford | Holladay | Money | Thomas |
| Culver | Holman | Neville | Tuck |
| Dill | House | Owen (Baldwin) | Waggoner |
| Dobbs | Jackson (F) | Owens (W) | Watkins |
| Doss | Jackson (T) | Pearson | Williams |
| Drake | Jones | Pennington | Wright |
| Edington | Kilgore | Perloff | Yelding |
| Ellis | Laxson | Pruitt | Young |
| Fine | Lemley | | |

—90

ADJOURNMENT

On motion of Mr. Garrett the House adjourned until Tuesday, March 21, 1967, at twelve o'clock, noon.

TENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 21, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Allie M. Freeman, Minister, Snowden Methodist Church, Snowden, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Burgreen | Drake | Headley |
| Adwell | Cameron | Edington | Higginbotham |
| Agee | Cherner | Ellis | Hill |
| Bank | Collier | Fine | Hobbie |
| Bassett | Collins (C) | Foshee | Hogan |
| Beck | Collins (W) | Gafford | Holladay |
| Berryman (R) | Cook (Coffee) | Garrett | Holman |
| Berryman (W) | Cook (Jefferson) | Gloor | House |
| Blanton | Crane | Graham | Jackson (F) |
| Bolton | Crawford | Grayson | Jackson (T) |
| Bowers | Culver | Hain | Jones |
| Brannan | Dill | Hardin | Kilgore |
| Brassell | Dobbs | Harper | Laxson |
| Brown | Doss | Harris | Lemley |
| Burgess | Downing | Haygood | Lybrand |

| | | | |
|--------------|----------------|------------|----------|
| Malone | Merrill | Shumate | Thomas |
| Manley | Money | Slate | Tuck |
| Marr | Neville | Smith (C) | Turnham |
| Mathews | Owen (Baldwin) | Smith (P) | Waggoner |
| Mays | Owens (W) | Snell | Watkins |
| McCorquodale | Owens (W.E.) | Snodgrass | Weeks |
| McDonald | Pearson | Springer | Williams |
| McElhaney | Pennington | Starnes | Wood |
| McLain | Perloff | Steagall | Wright |
| Meade | Pruitt | Stembridge | Yeilding |
| Meeks | Sessions | Stubbs | Young |
| Melton | | | |

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Mathews, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 152. To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

H. 83. To amend Section 32 of Act No. 100, H. 94, Regular Session 1959 (Acts 1959, p. 298), the Alabama sales tax law, so as to dedicate the proceeds of the sales tax levied by such act on the sale, storage, use or other consumption, or distribution of gasoline used to propel commercial aircraft, when such gasoline is not otherwise taxed, to the state department of aeronautics or the Alabama aviation commission, as the case may be.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 82 (with amendments). To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

Mr. Smith (C), Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

H. 162. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by HB 52, Regular Session 1965, as approved August 26, 1965.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 141 (with substitute). To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lemley (with notice and proof):

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Local Legislation No. 1.

Notice and Proof H. 163:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Be It Enacted by the Legislature of Alabama:

Section 1. In Blount County the fee for issuing a license to carry a pistol as provided in Alabama Code Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and paid by him into the county treasury. Four-fifths of each fee collected shall be deposited to the credit of a special fund, to be designated as the sheriff's law enforcement fund, and the remainder shall be deposited in the county's general fund. The special fund must be used and expended by the sheriff for the employment of personnel, the purchase of equipment, materials and supplies, and for any other lawful purpose related to law enforcement work within the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
BLOUNT COUNTY

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 23 day of February, 1967, and ending on the 16 day of March, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of March, 1967.

MOLLY RYAN.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 164. To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, law and equity Courts, county courts or other county courts of record in Houston County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 164:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County: To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, Law and Equity Courts, County Courts or other County Courts of record in Houston County, Alabama.

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in Courts of competent jurisdiction within Houston County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Houston County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. In addition the Clerk of the inferior Courts, Law and Equity Courts, County Courts or other County Courts of Record in Houston County, Alabama, shall collect and receive a commission of five percent on any sum of sums collected by him for the State of Alabama

as is now provided for Circuit Court Clerks in Code of Alabama, 1940, Title 11, Section 22, as amended; the commissions shall be calculated upon fines, arrest fees, Court fees, witness fees paid to the County under local law, Solicitor's fees, trial tax, and law library fees; and when such commissions are collected and received by the Clerk, he shall remit them to the County.

Section 3. Should any word, phrase, clause, section or part of this act be held to be unconstitutional by any Court of competent jurisdiction, it shall not affect the remainder of this act.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 20, 27; March 6, 13, 1967.

WALLACE MILLER.

Sworn to and subscribed before me this 14 day of March, 1967.

MIRL CROSBY,
Notary Public.

By Mr. Williams:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Local Legislation No. 1.

By Messrs. McLain, Pennington, Jones and Laxson:

H. 166. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); an act providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations, so as to exempt the North Alabama Tuberculosis Association from sales and use tax laws.

Ways and Means.

By Messrs. Perloff, Smith (C), Wood, Collins (W), Collins (C), and Grayson (with notice and proof):

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Local Legislation No. 3.

Notice and Proof H. 167:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the police and fire departments of the city (Acts, Special Sessions 1964, P. 326) is hereby amended to read as follows:

"Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this act, which shall be designated 'The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile', hereinafter called 'The Board.' The board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of 21, who do not hold any salaried office with the city or county of Mobile. One active member of Mobile's police department, and one active member of the Mobile fire department shall also serve as members of the Board. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the board shall receive any compensation for this.

"(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Four Members of the Board shall constitute a quorum for transaction of business.

"(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

"(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

"(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

"(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

"(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term."

Section 2. Section 27 of said Act No. 243 of 1964 is amended to read as follows:

"Section 27. This Act shall not have retroactive application. The provisions of Section 16 of this Act shall not apply to the widow or the surviving children of a member of the police or fire department who died or retired before Oct. 1, 1964."

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Feb. 28, March 7, 14, 21, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 21 day of March 1967.

W. F. EGAN,
Notary Public.

By Mr. Garrett:

H. 168. Proposing an amendment to the Constitution of Alabama providing for a constitution revision commission.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Mr. Garrett:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Local Government.

By Mr. Garrett:

H. 170. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Mr. Stubbs (with notice and proof):

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Local Legislation No. 1.

Notice and Proof H. 171:

LEGAL NOTICE

STATE OF ALABAMA

SHELBY COUNTY

Notice is hereby given that the following Bill in Substance will be introduced in the Legislature of Alabama, at any Special or Regular Session thereof during 1967 and application for its enactment into law will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Vincent in Shelby County are hereby altered, rearranged, and extended so as to include within the present corporate limits of the said Town of Vincent the following described territory situated in Shelby County, Alabama, to-wit: The East one-half of Section 24; the South one-half of the West one-half of Section 24; the North one-half of the West one-half of Section 25; the East one-half of Section 26; and that portion of the East one-half of Section 35 which lies North of the present corporate boundary limits of the Town of Vincent; all being situated in Township 18 South, Range 2 East, Shelby County, Alabama.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Local Legislation No. 1.

Notice and Proof H. 172:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Shelby County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940 Title 14, Section 177 shall be five dollars, which shall be collected by the Sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Shelby County, in any bank located in Shelby County, in a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the Sheriff of Shelby County or his appointed agent and shall be use exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the Sheriff or the operation of his office.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 6. All laws and parts of laws which conflict with this act are hereby repealed.

No. 158.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Local Legislation No. 1.

Notice and Proof H. 173:

LEGAL NOTICE

STATE OF ALABAMA SHELBY COUNTY

Notice is hereby given that the following Bill in Substance will be introduced in the Legislature of Alabama, at any Special or Regular Session thereof during 1967 and application for its enactment into law will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The District Attorney of the Eighteenth Judicial Circuit, if a bona fide resident Citizen of Shelby County, Alabama, and maintains an office in the Shelby County Courthouse at Columbiana, Alabama, may appoint a stenographic secretary, who shall serve at his pleasure. Such stenographic secretary shall perform such duties as the District Attorney of said circuit may prescribe, and shall receive a salary at the discretion of the District Attorney of not less than \$2,400.00 and not more than \$3,000.00 per annum, to be paid in equal monthly installments out of the Shelby County Treasury in the manner prescribed by law.

Section 2. Any stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of Shelby County, one of the counties which comprise the Eighteenth Judicial Circuit; to prepare indictments, and documents arising therefrom; to transcribe witnesses' testimony heard by said Grand Juries in Shelby County, and to administer oaths in connection therewith or on any other investigations being conducted by the said District Attorney's office.

Section 3. All laws and parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, upon its otherwise becoming a law.

No. 157

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Young (with notice and proof):

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Local Legislation No. 1.

Notice and Proof H. 174:

TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Randolph County may appropriate county funds not exceeding \$275 for the relief of Olin McDaniel of Route 3, Roanoke, to compensate him for property damages sustained by him as a result of a collision in January, 1967, between his motor vehicle and a motor vehicle belonging to the county and operated by a county employee. The Legislature finds and declares that the claim of the said Olin McDaniel against Randolph County is a just demand which the county is obligated to pay but has no legal authority to pay it; hence this act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me March 17, 1967.

GROVER L. POOLE,
Circuit Clerk.

By Mr. Brown:

H. 175. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

Health.

By Messrs. Pruitt and McCorquodale:

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

Ways and Means.

By Messrs. Pruitt and McCorquodale:

H. 177. To amend further Sections 656 and 657 of Title 51, Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of a portion of the State Gasoline Excise Tax.

Ways and Means.

By Messrs. Pruitt and McCorquodale:

H. 178. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds

issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Ways and Means.

By Messrs. Lybrand, Merrill and Burgess:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Steagall:

H. 180. To create a lien in favor of any person, firm, or corporation who provides ambulance service from the scene of the accident to the owner of a motor vehicle, involved in such accidents and to provide for its enforcement.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Thomas, Bank, Culver and Brown.

H. J. R. 41. WHEREAS five teen-agers were killed in a sudden and tragic accident when their small foreign made car was struck by a freight train at the A. G. S. Southside depot in Tuscaloosa on the night of March 15, 1967; and

WHEREAS the victims of this fatal accident were three sisters, Linda, Louise, and Shirley Paris, daughters of Mr. and Mrs. Herbert P. Paris of Paulton; Gary Fikes, son of Mr. and Mrs. Curtis Fikes of Duncanville; and Lawson Boatner, Jr., son of Mr. and Mrs. Lawson Boatner, Sr. of Duncanville; and

WHEREAS the untimely and tragic deaths of these fine and promising young people has shocked and grieved the people of this State; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That we extend to the families of Linda, Louise and Shirley Paris; Gary Fikes; and Lawson Boatner, Jr. our deepest and heartfelt sympathy and the hope that God may sustain them in their grief.

RESOLVED FURTHER That copies of this resolution shall be sent to Mr. and Mrs. Paris, Mr. and Mrs. Fikes, and Mr. and Mrs. Boatner.

On motion of Mr. Thomas the rules were suspended and H. J. R. 41 was adopted.

Also:

By Messrs. Slate and Doss:

H. J. R. 42. WHEREAS, Ewell K. Gregg of Morgan County, Alabama departed this life in the month of March, 1967, and

WHEREAS, Ewell K. Gregg was most active for many years in civic activities of Morgan County, Alabama, and

WHEREAS, He was a prominent business man active in community affairs, and

WHEREAS, His presence will be sorely missed by the people of Morgan County

NOW THEREFORE BE IT RESOLVED That this Legislature does mourn the death of Ewell K. Gregg, and

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the widow of Ewell K. Gregg of Decatur, Alabama.

On motion of Mr. Slate the rules were suspended and H. J. R. 42 was adopted.

Also:

By Messrs. Slate and Doss.

H. J. R. 43. WHEREAS, Clyde McRae of Decatur, Alabama, departed this life during the month of March, 1967, and

WHEREAS, the said Clyde McRae was a long-time resident and business man of Morgan County, Alabama, and

WHEREAS, he was most active in civic, religious, fraternal and business activities of Morgan County, Alabama, and

WHEREAS, his presence will be sorely missed by the residents of Morgan County, Alabama

NOW, THEREFORE, BE IT RESOLVED That this Legislature does mourn the untimely death of Clyde McRae, and

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the family of said Clyde McRae of Decatur, Alabama.

On motion of Mr. Slate the rules were suspended and H. J. R. 43 was adopted.

BILLS ON THIRD READING

H. 122. Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nay 1.

Yeas:

| | | | |
|---------------|----------|----------------|------------|
| Mr. Speaker | Culver | Holman | Pennington |
| Adwell | Dill | Jackson (F) | Perloff |
| Agee | Dobbs | Jackson (T) | Sessions |
| Bassett | Downing | Jones | Shumate |
| Beck | Ellis | Lemley | Smith (C) |
| Berryman (R) | Foshee | Lybrand | Smith (P) |
| Berryman (W) | Gafford | Manley | Snell |
| Bolton | Gloor | Marr | Snodgrass |
| Bowers | Graham | Mathews | Steagall |
| Brannan | Grayson | Mays | Stembridge |
| Brassell | Hain | McElhaney | Stubbs |
| Brown | Hardin | McLain | Tuck |
| Cameron | Harper | Meeks | Waggoner |
| Cherner | Haygood | Melton | Watkins |
| Collier | Headley | Merrill | Williams |
| Collins (C) | Hill | Money | Wood |
| Collins (W) | Hobbie | Owen (Baldwin) | Wright |
| Cook (Coffee) | Hogan | Owens (W) | Yeilding |
| Crane | Holladay | Pearson | Young |

—76

Nay: Mr. Harris

—1

And the bill:

H. 55 (with substitute). To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, when any records in the office of the judge of probate have been microfilmed, the judge of probate shall, if duplicate copies of said microfilm are requested, dispose of such duplicate copies of the film on uniform terms to all purchasers. Any sum or sums realized from sales of such duplicates shall be deposited in the general fund of the county and may be used for general county purposes.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall be given retroactive effect to December 31, 1966.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

| | | | |
|---------------|----------|----------------|------------|
| Mr. Speaker | Dill | Jackson (F) | Perloff |
| Adwell | Dobbs | Jackson (T) | Sessions |
| Agee | Doss | Jones | Shumate |
| Bassett | Downing | Laxson | Slate |
| Beck | Edington | Lemley | Smith (C) |
| Berryman (R) | Ellis | Lybrand | Smith (P) |
| Berryman (W) | Foshee | Malone | Snell |
| Bolton | Gafford | Manley | Snodgrass |
| Bowers | Gloor | Marr | Springer |
| Brannan | Graham | Mathews | Starnes |
| Brassell | Grayson | Mays | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgess | Hardin | McLain | Stubbs |
| Burgreen | Harper | Meeks | Tuck |
| Cameron | Harris | Melton | Waggoner |
| Cherner | Haygood | Merrill | Watkins |
| Collier | Headley | Money | Williams |
| Collins (W) | Hill | Owen (Baldwin) | Wood |
| Cook (Coffee) | Hobbie | Owens (W) | Wright |
| Crane | Hogan | Pearson | Yeilding |
| Crawford | Holladay | Pennington | Young |
| Culver | Holman | | |

—86

And said bill, H. 55, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Holladay | Perloff |
| Adwell | Dobbs | Holman | Sessions |
| Agee | Doss | Jackson (F) | Shumate |
| Beck | Downing | Jackson (T) | Slate |
| Berryman (R) | Edington | Jones | Smith (C) |
| Berryman (W) | Ellis | Laxson | Smith (P) |
| Bolton | Foshee | Lemley | Snell |
| Bowers | Gafford | Lybrand | Snodgrass |
| Brannan | Gloor | Malone | Springer |
| Brassell | Graham | Manley | Steagall |
| Brown | Grayson | Marr | Stembridge |
| Burgreen | Hain | Mays | Stubbs |
| Cameron | Hardin | McElhaney | Tuck |
| Cherner | Harper | McLain | Waggoner |
| Collier | Harris | Melton | Watkins |
| Collins (C) | Haygood | Merrill | Williams |
| Collins (W) | Headley | Money | Wood |
| Cook (Coffee) | Higginbotham | Owen (Baldwin) | Wright |
| Crane | Hill | Owens (W) | Yeilding |
| Crawford | Hobbie | Pearson | Young |
| Culver | Hogan | | |

—82

H. 97 POSTPONED

On motion of Mr. Ellis, consideration of the bill, H. 97, was postponed until the next legislative day.

And the bill:

H. 60 (with substitute). To provide for uniform time and exempt Alabama from the daylight saving time provisions of the "Uniform Time Act of 1966" (Public Law 89-387).

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Agriculture, said committee substitute being as follows:

AGRICULTURE COMMITTEE—SUBSTITUTE FOR H. B. 60

A BILL
TO BE ENTITLED
AN ACT

To provide for a referendum to determine whether Alabama shall be exempt from the daylight saving provisions of the Uniform Time Act of 1966.

Be It Enacted by the Legislature of Alabama:

Section 1. On the same day as the next special election held on the adoption of constitutional amendments, or the next regular election according to the Constitution and laws of Alabama, whichever shall first occur, there shall be a referendum election held and conducted according to the laws governing elections on proposed amendments to the Constitution, and notice of the same shall be given by proclamation of the Governor. The question to be submitted shall be stated as follows: "Shall Alabama be exempt from the daylight savings provisions of the Uniform Time Act of 1966?"

Section 2. If a majority of qualified voters voting vote "Yes", Alabama shall be exempt from the provisions of subsection 3(a) of the Uniform Time Act of 1966 providing for the advancement of time; provided, however, that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable under the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918 (40 Stat. 450; 15 U. S. C. 261-264), as modified by the Act entitled "An Act to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone", approved March 4, 1921 (41 Stat. 1446; 15 U. S. C. 265), during such period provided for in said subsection 3(a) of said Uniform Time Act of 1966 during which it is provided that time shall be advanced.

Section 3. Such exemption shall become effective on the last Sunday in April next following the certification of such referendum election in accordance with law.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 7.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pearson |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Laxson | Pruitt |
| Bank | Edington | Lemley | Sessions |
| Bassett | Ellis | Lybrand | Shumate |
| Beck | Fine | Malone | Slate |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Bolton | Garrett | Marr | Snell |
| Bowers | Gloor | Mathews | Starnes |
| Brannan | Graham | Mays | Steagall |
| Brassell | Grayson | McCorquodale | Stembridge |
| Brown | Hain | McDonald | Stubbs |
| Burgess | Hardin | McElhanev | Thomas |
| Cameron | Harper | Meeks | Waggoner |
| Cherner | Haygood | Melton | Watkins |
| Collier | Headley | Merrill | Williams |
| Collins (W) | Higginbotham | Money | Wood |
| Cook (Jefferson) | Hill | Neville | Wright |
| Crane | Hogan | Owen (Baldwin) | Yeilding |
| Culver | Holladay | Owens (W) | Young |
| Dill | Holman | | |

—82

Nays:

| | | | |
|----------|--------|--------|------------|
| Messrs.: | Harris | Jones | Pennington |
| Gafford | House | McLain | Springer |

—7

H. 60, AS AMENDED, INDEFINITELY POSTPONED

On motion of Mr. McDonald, the bill, H. 60, as amended, was indefinitely postponed.

Yeas 55; Nays 40.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Edington | Jackson (T) | Neville |
| Adwell | Ellis | Jones | Pennington |
| Agee | Gafford | Laxson | Sessions |
| Bowers | Garrett | Lybrand | Slate |
| Brassell | Gloor | Malone | Snell |
| Burgreen | Harris | Manley | Snodgrass |
| Cameron | Haygood | McCorquodale | Springer |
| Cherner | Higginbotham | McDonald | Stembridge |
| Collins (C) | Hill | McElhanev | Tuck |
| Cook (Jefferson) | Hobbie | McLain | Waggoner |
| Crane | Hogan | Meeks | Watkins |
| Crawford | Holladay | Melton | Wood |
| Dill | Holman | Merrill | Wright |
| Doss | House | Money | Yeilding |

—55

Nays:

| | | | |
|--------------|---------|-------------|---------|
| Mr. Speaker | Bolton | Collins (W) | Graham |
| Bank | Brannan | Culver | Grayson |
| Bassett | Brown | Dobbs | Hain |
| Beck | Burgess | Downing | Hardin |
| Berryman (R) | Collier | Foshee | Harper |

| | | | |
|-------------|----------------|-----------|----------|
| Headley | Mays | Pruitt | Steagall |
| Jackson (F) | Owen (Baldwin) | Shumate | Stubbs |
| Lemley | Owens (W) | Smith (C) | Thomas |
| Marr | Pearson | Smith (P) | Williams |
| Mathews | Perloff | Starnes | Young |

—40

MOTION TO RECONSIDER TABLED

On motion of Mr. McDonald, his motion to reconsider the vote by which the bill, H. 60, as amended, was indefinitely postponed, was laid upon the table.

Yeas 63; Nays 28.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Ellis | Jackson (F) | Money |
| Adwell | Foshee | Jackson (T) | Pennington |
| Agee | Gafford | Jones | Sessions |
| Bassett | Garrett | Laxson | Smith (C) |
| Bolton | Gloor | Lybrand | Snell |
| Bowers | Graham | Malone | Snodgrass |
| Brassell | Grayson | Manley | Springer |
| Burgreen | Hardin | Marr | Stembridge |
| Cameron | Harris | Mays | Thomas |
| Cherner | Haygood | McCorquodale | Tuck |
| Collins (C) | Hill | McDonald | Turnham |
| Cook (Jefferson) | Hobbie | McElhaney | Waggoner |
| Crawford | Hogan | McLain | Watkins |
| Culver | Holladay | Meeks | Wood |
| Dill | Holman | Melton | Wright |
| Edington | House | Merrill | Yeilding |

—63

Nays:

| | | | |
|--------------|---------------|----------------|-----------|
| Mr. Speaker | Collins (W) | Lemley | Shumate |
| Beck | Cook (Coffee) | Mathews | Slate |
| Berryman (W) | Doss | Neville | Smith (P) |
| Brannan | Downing | Owen (Baldwin) | Steagall |
| Brown | Fine | Owens (W) | Stubbs |
| Burgess | Hain | Perloff | Williams |
| Collier | Headley | Pruitt | Young |

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And the bill:

H. 105. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|--------------|--------------|---------------|----------|
| Mr. Speaker | Berryman (W) | Cameron | Crawford |
| Adwell | Bolton | Cherner | Dill |
| Agee | Bowers | Collier | Dobbs |
| Bank | Brannan | Collins (C) | Doss |
| Bassett | Brassell | Collins (W) | Downing |
| Beck | Brown | Cook (Coffee) | Edington |
| Berryman (R) | Burgess | Crane | Ellis |

| | | | |
|--------------|-------------|----------------|------------|
| Fine | Hogan | Meeks | Snell |
| Foshee | Holladay | Melton | Snodgrass |
| Gafford | Holman | Merrill | Springer |
| Garrett | House | Money | Starnes |
| Gloor | Jackson (F) | Neville | Steagall |
| Graham | Jackson (T) | Owen (Baldwin) | Stembridge |
| Grayson | Jones | Owens (W) | Stubbs |
| Hain | Laxson | Pennington | Turnham |
| Hardin | Lemley | Perloff | Waggoner |
| Harper | Lybrand | Pruitt | Watkins |
| Harris | Malone | Sessions | Williams |
| Haygood | Manley | Shumate | Wood |
| Headley | Mays | Slate | Wright |
| Higginbotham | McDonald | Smith (C) | Yeilding |
| Hill | McElhaney | Smith (P) | Young |
| Hobbie | McLain | | |

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RESOLUTION

The following resolution was introduced:

By Mr. Tuck:

H. J. R. 44. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today they will adjourn to meet again at twelve (12) o'clock on Wednesday, March 22, and when they adjourn on that day they will adjourn to meet again on Tuesday, March 28, at two o'clock.

H. J. R. 44 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow and Torbert:

S. 8. To make an appropriation to the State Department of Mental Health.

Also:

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Torbert, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow, Nabors and Radney:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

Also:

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Also:

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

By Messrs. Turner and Engel:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 8. Ways and Means.

S. 9. Ways and Means.

S. 20. Ways and Means.

S. 22. Ways and Means.

S. 18. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Pierce, Turner and Engel:

S. 19. To make an additional appropriation to the Agricultural Center Board.

Also:

By Messrs. Turner and Engel:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Also:

By Mr. Cooper:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Also:

By Mr. Turner:

S. 16. To make an appropriation to the office of the Attorney General and to provide for special Assistant Attorneys General and Investigators.

Also:

By Messrs. Clark, Cooper and Lolley:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 19. Ways and Means.
- S. 17. Ways and Means.
- S. 13. Ways and Means.
- S. 16. Ways and Means.
- S. 26. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Folsom:

S. 1. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execu-

tion of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Be It Enacted by the Legislature of Alabama:

Section 1. No constable within the boundaries of Cullman County shall be authorized to execute any service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public with powers of justices of the peace; nor shall any constable in such county be authorized to make an arrest unless the failure to make such arrest may be reasonably expected to result in bodily harm and injury or death.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn deposes and says that during the times herein mentioned he was publisher of the CULLMAN TRIBUNE, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 30th January, 1967.

FRED W. ABT,
Notary Public.

Also:

By Mr. Folsom:

S. 2. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to the grand jury, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the limits of Cullman County. All criminal and quasi-criminal jurisdiction heretofore vested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of the county is hereby vested in the Cullman County Intermediate Court. Nothing in this Act shall affect any case or proceeding pending on the date this Act becomes effective.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Fred W. Abt a NOTARY PUBLIC in and for said County and State, personally appeared Henry Frank Arnold, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: January 5, 12, 19, 26, 1967.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 30th day of January 1967.

FRED W. ABT,
Notary Public.

Also:

By Mr. Albea:

S. 6. Relating to Calhoun County; providing a purchasing agent for the county; regulating the acquisition and disposal of supplies, materials, equipment, and contractual services for Calhoun County; prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature of Alabama which will be in substance as follows:

An ACT to provide a purchasing agent for Calhoun County to make all purchases and contracts for services with certain exceptions for the county and, subject to the approval of the county governing body, to promulgate rules and regulations for the acquisition of such purchases and the disposal of surplus and obsolete personal property of the county; to require such agent to make bond and to provide the conditions thereof; to authorize the county governing body to designate a county officer to serve as such agent without additional compensation; to require such agent to obtain at least three written sealed, competitive bids on all purchases of three hundred dollars (\$300) or more and to make purchases of less than three hundred dollars (\$300) either on the basis of sealed bids or in the open market and to prohibit the adjustment of the quantity of the purchase for purposes of evading this requirement; to require the purchase to be awarded to the lowest responsible bidder and to authorize the rejection of all bids under certain circumstances and to provide for purchases through the division of purchases and stores of the state finance department; to require the recording of certain information pertinent to bids to be open to public inspection; to provide for the manner of making emergency purchases and to define terms; to give preference to commodities produced or sold in Calhoun County; to provide that violations of certain provisions shall constitute a misdemeanor and to prescribe penalties therefor; to provide for the severability of the provisions of this Act and to make the Act effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 30, February 6, February 13, and February 20, all in the year 1967.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me February 21, 1967.

ALMUS J. THORNTON,
Notary Public.

Also:

By Mr. Branyon:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

By Mr. Radney:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Article IV, Section 106 of the Constitution of Alabama that application will be made to the Legislature of Alabama for enactment of a local law applicable to Tallapoosa County, the substance of which is as follows:

AN ACT to create and establish in Tallapoosa County an inferior court to be known as the court of common pleas; to provide that this court shall be in lieu of the county court and the juvenile court; to abolish the county court and the juvenile court; to prescribe the jurisdiction of the court of common pleas with reference to criminal cases, civil actions, and juvenile matters; to provide that the court shall not have power to try persons charged with felonies; to provide that the court shall not have jurisdiction of any civil action when the sum in controversy exceeds one thousand dollars, nor take cognizance of any matter or proceeding in equity; to provide for the election of a judge of the court at the general election in 1968, and every six years thereafter; to provide for the nomination and appointment of the first judge of the court of common pleas; to prescribe the qualifications of the judge of the court and provide for his compensation, tenure, and authority; to provide for appointment of a special judge when the regular judge is disqualified or unable to act; to provide for two divisions of the court of common pleas and to provide that sessions of the court will be held at Alexander City and at Dadeville; to provide for regular terms of the court; to define the boundaries of each division of the court and to provide for venue of actions; to provide that the sheriff or his deputy shall serve the processes of the court and perform certain other duties in connection with the operation of the court of common pleas; to prescribe the rules of practice and procedure in the court of common pleas in civil, criminal, and juvenile cases; to provide for costs and charges in the court of common pleas and for trial taxes; to prescribe special rules of procedure in criminal prosecutions and require the county solicitor of Tallapoosa County to act as solicitor in the court of common pleas; to fix the compensation of the county solicitor for the performance of such duties; to provide for appeals and review of decisions of the court of common pleas; to provide that a party in whose favor a judgment is rendered in the court of common pleas shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are

provided in Chapter 11 of Title 17, Code 1940; to provide that the circuit clerk of Tallapoosa County shall be ex officio clerk of the court of common pleas; to provide for compensation of the clerk for the performance of his duties and to prescribe his power and authority in reference to the business of the court of common pleas; to provide for a transfer of cases pending in the county court and the juvenile court for the control of the judgments rendered by the abolished courts.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated January 5, 1967, and ending with the issue dated January 26, 1967.

J. C. HENDERSON.

Subscribed and sworn before me this 26th day of January, 1967.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

Also:

By Mr. Lolley:

S. 27. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

To be introduced in the next special session of the Alabama Legislature. (Local bill, Geneva County.)

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section I. The fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177 shall be five dollars, in Geneva County, Alabama which shall be collected by the sheriff and credited to a special fund or account of the sheriff and shall be used exclusively by the sheriff for uniforms, ammunition and equipment or any other purpose for the benefit of the sheriff's office or duties.

Section II. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing Jan. 26, 1967, and ending Feb. 16, 1967.

WITNESS my hand this 27 day of February, 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 27 day of Feb., 1967.

KAROL L. FLEMING,
Notary Public.

*This is to certify that the Geneva County Reaper has a general circulation in the County in which it is published and that this newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of this foreclosure advertisement, and that a copy of the newspaper containing the first notice of sale was mailed to the mortgagor at his or her last known address.

Also:

By Mr. Carr:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Marshall County shall receive an annual salary of eighteen hundred dollars (\$1,800), payable in equal monthly installments out of the general fund of the county on the warrant of the chairman of the Commission on Government and Finance of Marshall County or any succeeding county governing body with like duties. Except as herein provided, such salary shall be the entire compensation of the coroner and shall be in lieu of all fees, commissions, percentages and allowances prescribed by law for performance of the duties of his offices, and such fees, commissions, percentages or allowances shall be paid into the general fund of the county. The county governing body, however,

shall provide the coroner with all office supplies and official blanks and forms necessary for the conduct of the duties of his office and shall reimburse him for any telephone calls he may find necessary to make in the performance of his duties as coroner.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leroy Sumner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner of the The Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, 9, 16, and 23, all in the year 1967.

LEROY SUMNER.

Sworn to and subscribed before me March 3, 1967.

FRANCES S. ENGLAND,
Notary Public.

Also:

By Mr. Carr:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the

superintendent of education of Marshall County, is amended to read as follows:

"Section 1. The county superintendent of education of Marshall County shall receive an annual salary of thirteen thousand two-hundred dollars (\$13,200) and an annual expense allowance of twelve hundred dollars (\$1,200) which sums shall be his entire compensation. In the event the legislature shall appropriate sufficient funds to provide an across the board increase for teachers' salaries, the county board of education may, in its discretion, increase the salary of the county superintendent of education in the same dollar amount as the increase provided for teachers holding the highest ranking certificate of the certificate to which teachers who hold master's degrees are entitled.

"The salary provided in this Act shall be payable in equal monthly installments upon the order of the county board of education out of the public school funds of the county, and no additional authority shall be required to provide the contingent increase in salary herein authorized."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leroy Sumner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner of the The Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, 9, 16, and 23, all in the year 1967.

LEROY SUMNER.

Sworn to and subscribed before me March 3, 1967.

FRANCES S. ENGLAND,
Notary Public.

Also:

By Mr. Radney:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill, substantially as follows, will be introduced in the Alabama Legislature:

A BILL TO BE ENTITLED AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in Tallapoosa County may, with the written consent of the State Superintendent of Banks, or the appropriate Federal agency, whichever is applicable, open, establish and operate a branch office or branch bank for receipt of deposits, payment of checks, and conducting its business, anywhere within the corporate limits of the city or town where its principal office is situated.

Section 2. All laws or parts of law which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated December 8, 1966, and ending with the issue dated December 29, 1966.

J. C. HENDERSON.

Subscribed and sworn before me this 29th day of December, 1966.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires February 12, 1967.

Also:

By Messrs. Goodwyn and Pierce:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Also:

By Messrs. Goodwyn and Pierce:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Also:

By Mr. Branyon:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
FAYETTE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 Second Special Session, p. 193).

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor and the tax collector of Fayette County may each appoint a clerk to assist him in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary of \$125.00 a month payable from the general funds of the county. The Clerk of the Tax Assessor shall be employed full time, but the Clerk of the Tax Collector shall be employed and paid for seven months in each calendar year and no more.

Section 2. Act. No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193), an act providing for the appointment of clerical assistants by certain officers of Fayette County, is superseded by this act and is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall take effect on the first day of the month next following the date of its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, a notary public personally appeared Jack Black who being duly sworn, deposes to say that he is Publisher of the FAYETTE COUNTY BROADCASTER and that the legal advertisement was published in said newspaper on the following dates: Nov. 10, 1966, Nov. 17, 1966, Nov. 23, 1966, Dec. 1, 1966.

JACK BLACK.

Sworn to and subscribed before me this 27 day of Feb., 1967. In testimony whereof I have hereunto set my hand and seal.

MARILYN S. McEACHERN,
Notary Public.

Also:

By Mr. Branyon:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
FAYETTE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit;

A BILL
TO BE ENTITLED
AN ACT

To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the second deputy sheriff of Fayette County shall be fixed by the Court of County Commissioners of Fayette County in an amount not to exceed \$4,500.00 per annum, payable in twelve equal monthly installments out of the county public highway and traffic fund.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, a notary public personally appeared Jack Black who being duly sworn, deposes to say that he is Publisher of the FAYETTE COUNTY BROADCASTER and that the legal advertisement was published in said newspaper on the following dates: Nov. 10, 1966, Nov. 17, 1966, Nov. 23, 1966, Dec. 1, 1966.

JACK BLACK.

Sworn to and subscribed before me this 27 day of Feb., 1967. In testimony whereof I have hereunto set my hand and seal.

MARILYN S. McEACHERN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 1. Local Legislation No. 1.
- S. 2. Local Legislation No. 1.
- S. 6. Local Legislation No. 1.
- S. 7. Local Legislation No. 1.
- S. 12. Local Legislation No. 1.

- S. 27. Local Legislation No. 1.
- S. 34. Local Legislation No. 1.
- S. 35. Local Legislation No. 1.
- S. 43. Local Legislation No. 1.
- S. 50. Local Legislation No. 1.
- S. 51. Local Legislation No. 1.
- S. 53. Local Legislation No. 1.
- S. 54. Local Legislation No. 1.

UNANIMOUS CONSENT GRANTED

Mr. Marr requested unanimous consent to add his name as a co-author of the bill, H. 55, and it was so granted.

MOTION TO ADJOURN LOST

The motion of Mr. Merrill that the House adjourn until Friday, March 24, 1967, at ten o'clock A. M. was lost.

Yeas 30; Nays 59.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Crane | Jackson (T) | Slate |
| Agee | Crawford | Lybrand | Snell |
| Bank | Dobbs | Mathews | Starnes |
| Berryman (W) | Doss | McCorquodale | Steagall |
| Brassell | Garrett | Merrill | Stembridge |
| Brown | Hain | Pearson | Stubbs |
| Burgess | Harper | Shumate | Weeks |
| Cameron | Higginbotham | | |

—30

Nays:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Foshee | Kilgore | Pennington |
| Adwell | Gafford | Laxson | Perloff |
| Bassett | Gloor | Lemley | Sessions |
| Beck | Graham | Malone | Snodgrass |
| Berryman (R) | Grayson | Manley | Springer |
| Bowers | Hardin | Marr | Thomas |
| Brannan | Headley | Mays | Tuck |
| Cherner | Hill | McDonald | Turnham |
| Collins (C) | Hobbie | McElhaney | Waggoner |
| Collins (W) | Hogan | McLain | Watkins |
| Cook (Jefferson) | Holladay | Meeks | Williams |
| Culver | Holman | Melton | Wood |
| Downing | House | Money | Wright |
| Edington | Jackson (F) | Neville | Yeilding |
| Ellis | Jones | Owen (Baldwin) | Young |

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RECESS

On motion of Mr. Merrill the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

H. 155 RE-REFERRED

The Speaker re-referred the bill, H. 155, from the Standing Committee on Constitution and Elections to the Standing Committee on Ways and Means.

MOTION TO ADJOURN LOST

The motion of Mr. Lemley that the House adjourn until Friday, March 24, 1967, at ten o'clock A. M. was lost.

Yeas 36; Nays 52.

Yeas:

| | | | |
|-------------|---------|--------------|--------------|
| Mr. Speaker | Dobbs | Higginbotham | Owens (W.E.) |
| Bassett | Doss | Holladay | Pearson |
| Beck | Fine | Jackson (T) | Shumate |
| Bolton | Gafford | Lemley | Slate |
| Brassell | Garrett | Mathews | Steagall |
| Brown | Grayson | McLain | Stembridge |
| Burgess | Hardin | Melton | Stubbs |
| Crane | Harper | Merrill | Weeks |
| Crawford | Headley | Owens (W) | Young |

—36

Nays:

| | | | |
|------------------|-------------|----------------|-----------|
| Messrs.: | Ellis | Kilgore | Pruitt |
| Agee | Foshee | Laxson | Sessions |
| Bank | Gloor | Malone | Smith (P) |
| Berryman (R) | Graham | Manley | Snodgrass |
| Brannan | Hain | Mays | Springer |
| Cameron | Haygood | McCorquodale | Thomas |
| Cherner | Hill | McElhaney | Tuck |
| Collins (C) | Hobbie | Meeks | Waggoner |
| Collins (W) | Hogan | Money | Watkins |
| Cook (Jefferson) | Holman | Neville | Williams |
| Culver | House | Owen (Baldwin) | Wood |
| Dill | Jackson (F) | Pennington | Wright |
| Downing | Jones | Perloff | Yeilding |
| Edington | | | |

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RESOLUTION

The following resolution was introduced:

By Mr. Edington:

H. J. R. 45. WHEREAS, Friday, March 24, 1967, is a religious holiday, viz: Good Friday,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That when the House and Senate adjourn today, they adjourn until 10:00 a. m. Thursday, March 23, and when they adjourn on said date, they adjourn until 12:00 noon Tuesday, March 28.

H. J. R. 45 was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was again taken up:

By Messrs. Shumate and Stubbs:

H. J. R. 21. Requesting the State Textbook Committee and the State Board of Education not to authorize use of textbooks advocating or teaching Darwin's theory of evolution or atheism.

WHEREAS, these United States of America were established by deeply religious people, who "with a firm reliance on the protection of DEVINE PROVIDENCE" mutually pledged their lives, their fortunes and their sacred honor to each other, in the declaration by which they declared their independence from Great Britain;

WHEREAS, the firm belief of the people of this country in an Almighty God is further evidenced by the motto, "In God We Trust," which appears on all this nation's coins;

WHEREAS, many other evidences of the faith of the founders of this country in a deity may be found throughout the history of this country;

WHEREAS, in spite of all this evidence of the faith of the people of the United States in their Creator the Supreme Court has ruled that the reading of the Bible and the saying of prayers in public schools violates the Constitution;

WHEREAS, it is a generally accepted fact that peoples who lack faith in an Almighty God are a ready prey to advocates of anarchism, communism and other forms of government inimical to our kind of democracy, and that youth and students are particularly susceptible to exploitation and manipulation by these forces; and

WHEREAS, it is essential to the continuation of our democratic government that the youth of this country not lose faith in the power of a Supreme Being to rule this universe; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Textbook Committee and the State Board of Education of Alabama are hereby urged to exert every effort to assure that no textbook adopted for use or used in the public schools of this state belittles the power of a Supreme Being to rule the universe or contradicts or seriously questions the account of the origin of the world as it is described in the Holy Bible.

BE IT FURTHER RESOLVED, That the State Textbook Committee and the State Board of Education are particularly urged not to adopt or authorize the use of any textbook that indicates, advocates or teaches that Darwin's theory of evolution is a more acceptable explanation of the beginnings of man than the biblical account thereof or any book that encourages atheism.

Mr. Shumate offered the following substitute for the resolution, H. J. R. 21:

WHEREAS, It has been called to the attention of this Body that recently there has been a controversy concerning certain textbooks which have been considered for possible use in the schools of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That

1. We reaffirm the principles of academic freedom which alone foster the spirit of individual inquiry and the growth of the human mind

in our system of public education which is the seed-bed of our democratic way of life.

2. We acknowledge the responsibility of the system of universal education in our democracy to be responsive, however, to the demands of the public which supports it.

3. We have deep confidence in the Alabama Superintendent of Education, the Alabama Board of Education, the Alabama State Text-book Committee, and others in positions of authority in the public schools of Alabama, and request that they not knowingly promote, sponsor, or allow the teaching of any matter in the public schools of this State which would demean the nature of mankind as the children of God; which would confuse mere unproven scientific theory with well-tested scientific fact, which would tend to destroy the democratic values which have made our nation great, or which would attack the sacred nature of individual human personality.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Holman | Pennington |
| Adwell | Doss | House | Perloff |
| Agee | Downing | Jackson (F) | Shumate |
| Bank | Edington | Jackson (T) | Slate |
| Bassett | Ellis | Jones | Smith (P) |
| Beck | Fine | Kilgore | Snodgrass |
| Berryman (R) | Foshee | Laxson | Springer |
| Berryman (W) | Gafford | Lemley | Starnes |
| Bowers | Garrett | Malone | Steagall |
| Brannan | Gloor | Mays | Stembridge |
| Brassell | Graham | McCorquodale | Stubbs |
| Brown | Hain | McElhaney | Thomas |
| Burgess | Hardin | McLain | Tuck |
| Cameron | Harper | Meeks | Waggoner |
| Cherner | Haygood | Merrill | Watkins |
| Collier | Headley | Money | Weeks |
| Collins (W) | Higginbotham | Neville | Williams |
| Cook (Coffee) | Hill | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hobbie | Owens (W) | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |
| Culver | Holladay | Pearson | Young |
| Dill | | | |

—85

And said resolution, H. J. R. 21, as thus amended, was adopted.

Yeas 76; Nays 0.

Yeas:

| | | | |
|--------------|------------------|---------|--------------|
| Mr. Speaker | Burgess | Doss | Headley |
| Adwell | Cameron | Downing | Higginbotham |
| Agee | Cherner | Ellis | Hill |
| Bassett | Collier | Fine | Hobbie |
| Beck | Collins (W) | Foshee | Hogan |
| Berryman (R) | Cook (Coffee) | Gafford | Holman |
| Berryman (W) | Cook (Jefferson) | Garrett | House |
| Bowers | Crane | Graham | Jackson (F) |
| Brannan | Crawford | Hain | Jackson (T) |
| Brassell | Culver | Hardin | Jones |
| Brown | Dobbs | Harper | Kilgore |

| | | | |
|--------------|----------------|------------|----------|
| Laxson | Melton | Slate | Tuck |
| Lemley | Merrill | Smith (P) | Waggoner |
| Malone | Money | Snodgrass | Watkins |
| Mays | Owen (Baldwin) | Springer | Weeks |
| McCorquodale | Owens (W) | Starnes | Williams |
| McElhaney | Pennington | Steagall | Wood |
| McLain | Perloff | Stembridge | Yeilding |
| Meeks | Shumate | Stubbs | Young |

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UNANIMOUS CONSENT GRANTED

Mr. Blanton requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 60, as amended, was indefinitely postponed. He requested that the Journal show that had he been present he would have voted "yea", and it was so granted.

ADJOURNMENT

On motion of Mr. Young the House adjourned until Friday, March 24, 1967, at ten-thirty o'clock A. M.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, March 22, 1967

The House did not meet today.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Thursday, March 23, 1967

The House did not meet today.

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, March 24, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Robert Lee Williams, Minister, Argo Church of Christ, Argo, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jones | Perloff |
| Adwell | Drake | Kilgore | Pruitt |
| Agee | Edington | Laxson | Sessions |
| Bank | Ellis | Lemley | Shumate |
| Bassett | Fine | Lybrand | Slate |
| Beck | Foshee | Malone | Smith (C) |
| Berryman (R) | Gafford | Manley | Smith (P) |
| Berryman (W) | Garrett | Marr | Snell |
| Bowers | Gloor | Mathews | Snodgrass |
| Brassell | Graham | Mays | Springer |
| Brown | Grayson | McCorquodale | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Burgreen | Hardin | McElhaneey | Stembridge |
| Cameron | Harper | McLain | Stubbs |
| Cherner | Harris | Meade | Thomas |
| Collier | Haygood | Meeks | Tuck |
| Collins (C) | Headley | Melton | Turnham |
| Collins (W) | Higginbotham | Merrill | Waggoner |
| Cook (Coffee) | Hill | Money | Watkins |
| Cook (Jefferson) | Hobbie | Neville | Weeks |
| Crane | Hogan | Owen (Baldwin) | Williams |
| Crawford | Holladay | Owens (W) | Wood |
| Culver | Holman | Owens (W.E.) | Wright |
| Dill | House | Paulk | Yeilding |
| Dobbs | Jackson (F) | Pearson | Young |
| Doss | Jackson (T) | Pennington | |

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Merrill to suspend the rules in order to dispense with the reading at length of the Journal of the House for the tenth legislative day was lost.

Yeas 40; Nays 42

Yeas:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Marr | Shumate |
| Agee | Foshee | Mathews | Slate |
| Beck | Hain | McDonald | Smith (C) |
| Berryman (W) | Higginbotham | Meade | Smith (P) |
| Brassell | Hill | Melton | Springer |
| Burgess | Hobbie | Merrill | Starnes |
| Cameron | Holladay | Neville | Steagall |
| Cook (Coffee) | Laxson | Owens (W.E.) | Stembridge |
| Dobbs | Lybrand | Pennington | Turnham |
| Drake | Manley | Pruitt | Williams |

—40

Nays:

| | | | |
|-------------|----------|----------------|----------|
| Messrs.: | Edington | Jackson (F) | Perloff |
| Adwell | Ellis | Jackson (T) | Sessions |
| Bassett | Gafford | Jones | Stubbs |
| Bowers | Gloor | Kilgore | Thomas |
| Cherner | Graham | Lemley | Waggoner |
| Collins (C) | Grayson | Malone | Watkins |
| Collins (W) | Hardin | Mays | Weeks |
| Crane | Headley | McElhaney | Wood |
| Culver | Hogan | Meeks | Wright |
| Dill | Holman | Owen (Baldwin) | Yeilding |
| Downing | House | Owens (W) | |

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READING OF JOURNAL

The Speaker, directed the Clerk to read the Journal of the House for the tenth legislative day, and the reading commenced.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Owens (W) to suspend the rules in order to dispense with the further reading at length of the Journal of the House for the tenth day was lost.

Yeas 59; Nays 30.

Yeas:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Foshee | Mathews | Shumate |
| Agee | Garrett | Mays | Slate |
| Bassett | Graham | McDonald | Smith (C) |
| Beck | Hain | McElhaney | Smith (P) |
| Berryman (W) | Hardin | McLain | Snell |
| Brassell | Harper | Meade | Snodgrass |
| Burgess | Haygood | Melton | Starnes |
| Cameron | Hill | Merrill | Steagall |
| Collier | Hobbie | Neville | Stembridge |
| Cook (Coffee) | Jackson (F) | Owen (Baldwin) | Stubbs |
| Crawford | Laxson | Owens (W) | Tuck |
| Dobbs | Lemley | Owens (W.E.) | Williams |
| Doss | Lybrand | Pearson | Wright |
| Drake | Malone | Pennington | Young |
| Fine | Manley | Pruitt | |

—59

Nays:

| | | | |
|-------------|---------|-------------|----------|
| Messrs.: | Culver | Hogan | Sessions |
| Adwell | Dill | Holman | Thomas |
| Bank | Downing | House | Waggoner |
| Bowers | Ellis | Jackson (T) | Watkins |
| Cherner | Gafford | Kilgore | Weeks |
| Collins (C) | Gloor | Meeks | Wood |
| Collins (W) | Grayson | Money | Yeilding |
| Crane | Harris | Perloff | |

—30

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the tenth legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Mathews the rules were suspended in order to allow the Standing Committee on Ways and Means to report out of order.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

H. 177. To amend further Sections 656 and 657 of Title 51, Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of a portion of the State Gasoline Excise Tax.

This bill makes no changes in state revenues nor does it redistribute state revenues, however, it does pledge \$9,000,000. as a secondary funding of the bonds proposed in House Bill 178.

H. 178. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

This bill authorizes the Alabama Highway Authority to issue \$160,000,000. principal amount revenue bonds. Pledge for payment are the proceeds from the motor vehicle licenses and registration fees which are distributed to the State of Alabama and a portion of the State excise tax on gasoline, if necessary to meet the obligation.

S. 8. To make an appropriation to the State Department of Mental Health.

This bill appropriates \$500,000 from the General Fund for the fiscal year 1966-67.

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

This bill appropriates \$450,000 from the General Fund for the fiscal year 1966-67.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 58 (with amendment). To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

This bill proposes a constitutional amendment which will authorize the issuance of \$4,000,000 general obligation bonds by the Alabama State Docks Department. The debt service on such issue should be approximately \$300,000. per year from State Docks Fund; however, the full faith and credit of the State would be pledged for the payment thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Ala-

bama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

This bill authorizes the Alabama State Docks Department to issue \$4,000,000. in revenue bonds. The debt service on such an issue should be approximately \$300,000. per annum payable from State Docks Funds.

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

This bill provides for \$10,000,000.00 bond issue by Alabama Corrections Institution Finance Authority. Debt service requires approximately \$800,000.00 per year.

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

This bill appropriates \$10,000.00 from the General Fund for the fiscal year 1966-67.

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

This bill appropriates \$540,721.00 from the General Fund, \$256,-022.00 from the trust funds, and \$17,058.00 from the Alabama Special Educational Trust Fund for the fiscal year 1966-67.

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

This bill provides salary for the Executive Assistant to the Attorney General equal to merit system Attorney III.

S. 16. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

This bill appropriates \$25,000 from the General Fund for the fiscal year 1966-67.

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

This bill appropriates \$2,800 from the General Fund for the fiscal year 1966-67.

S. 19. To make an additional appropriation to the Agricultural Center Board.

This bill appropriates \$9,980 from the General Fund for the fiscal year 1966-67.

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

This bill makes an additional appropriation in the amount of \$44,000. from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1967.

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

This bill makes an additional appropriation in the amount of \$12,000. from the Milk Control Board Fund for the fiscal year ending September 30, 1967, to pay expenses of the Ad Hoc Milk Committee and other expenses of the Board.

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

This bill does not make an appropriation.

H. 145. To make an additional appropriation for the expenses of the Court of Appeals.

This bill makes an additional appropriation in the amount of \$4,000. from the State General Fund.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 148. (with substitute). To make an appropriation to the Governor's Committee on the Status of Women.

This bill make an appropriation in the amount of \$3,000. from the State General Fund for the fiscal year ending September 30, 1967.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 155. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

This bill does not affect any state fund.

READING OF JOURNAL CONTINUED

The Clerk proceeded to continue the reading of the Journal of the House for the tenth legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Meeks, the further reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

BILLS ON SECOND READING RESUMED

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 31 (with substitute). To require the operators and riders of certain two-wheel motorized vehicles to wear protective helmets; and to prescribe penalties.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

H. 147. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such

gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

It is estimated that this bill will decrease the State General Fund by approximately \$185,408.64 per year.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

H. 170. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

H. 149. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

H. 164. To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, law and equity Courts, county courts or other county courts of record in Houston County, Alabama.

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and provid-

ing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Owen (W):

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Local Legislation No. 1.

By Mr. Mathews:

H. 182. To apply only in counties having populations of not less than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Local Legislation No. 1.

By Mr. Cook (Coffee):

H. 183. To make an additional appropriation to the Department of Finance for repair and renovation of the First White House of the Confederacy.

Ways and Means.

By Mr. Drake:

H. 184. To amend further Act No. 672, S. 99, Regular Session 1965, an act providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets.

Ways and Means.

By Messrs. Beck, Williams and Meade:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Local Legislation No. 1.

By Messrs. Wright, Malone and Owens (W.E.):

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W.E.) (with notice and proof):

H. 187. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Local Legislation No. 1.

Notice and Proof H. 187:

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Gadsden in Etowah County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 12 South, Range 6 East, Etowah County, Alabama, and thence run in a Westerly direction and along the North line of said forty a distance of 1214 feet to a point thence deflect 90 degrees 15 minutes to the left and run 35 feet to the point of intersection of the South line of Fourth Street with the Northeasterly line of Paden Road; thence deflect 145 degrees 55 minutes to the left and run along the Northeasterly line of Paden Road for a distance of 1469.3 feet to a point in the East line of the SW $\frac{1}{4}$, of the NE $\frac{1}{4}$, section 23; thence deflect 124 degrees 20 minutes to the left and run along the East line of said forty for a distance of 858.1 feet to the point of beginning. The above described property lies in and forms a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 11 South Range 6 East, Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA)
ETOWAH COUNTY)

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Ann E. Stanfield, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said a fidavit notice of the Legal Ad, which notice was printed in The Gadsden Times in its regularly circulated editions on March 4, 11th, 18, and 25th 1967, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 21st day of March, 1967.

ANN E. STANFIELD.

Subscribed and sworn to before me on this the 21st day of March, 1967.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

Local Legislation No. 1.

Notice and Proof H. 188:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#R9429;2/24/67)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created in Russell County a juvenile court, which shall have and exercise in Russell County all the powers, duties, and jurisdiction of juvenile courts as provided by Chapter 7, Title 13, Code of Alabama (1940).

Section 2. A judge of the juvenile court of Russell County shall be elected at the general election in November 1968, and every six years thereafter, and shall hold office for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. The judge of the court shall be a resident citizen and qualified elector of Russell County at the time of his appointment or election, and shall reside in the county during his continuance in office. Before entering upon the discharge of the duties of his office, the judge shall take the oath prescribed by Section 279 of the Constitution. The judge may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. Immediately after the effective date of this

Act, the Governor shall appoint a qualified person to serve as judge of the juvenile court of Russell County, who shall be selected with special reference to training, experience, capacity, and fitness for the performance of his duties. In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office for the unexpired term. If the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 124, Title 13, Code 1940.

Section 3. The judge of the juvenile court shall devote his full time to the duties of his office and receive a salary of nine thousand dollars per annum, payable in equal monthly installments out of the general fund of the county.

Section 4. The judge of the juvenile court of Russell County shall perform all the duties and functions, and shall have the powers and authority, that are provided by general law for the judges of juvenile courts. He shall also have the power and authority to appoint a clerk-investigator for the court. Such clerk-investigator shall serve at the pleasure of the judge and shall do and perform such duties relative to the functions of the court and the keeping of the minutes of the court and other records pertinent thereto as are delegated and assigned to him by the judge. He shall also make such investigations and assemble such facts and information relative to cases pending in the court and persons involved therein as required by the judge. For the performance of his duties the clerk shall be entitled to receive an annual salary of four thousand eight hundred dollars payable out of the general fund of Russell County in equal installments at the same time and in the same manner that the judge's salary is paid. Before entering upon the duties of his office the clerk-investigator shall take the oath prescribed by law to be taken by officers of the State and give bond for the faithful performance of his duties, with surety payable to Russell County, Alabama, in such sum, not exceeding three thousand dollars, as the judge may prescribe.

Section 5. The board of revenue, court of county commissioners or other governing body of Russell County shall provide an office in the courthouse for the judge of the juvenile court and shall also provide, at county expense, such office furniture, equipment and other items as are needed for the economical and efficient functioning of the court, including but not limited to, the following: a desk, filing cabinets, a typewriter, an air-conditioner, a couch, chairs, stamps, stationery and other usual office supplies and equipment and a telephone.

Section 6. As soon as a judge is selected and has qualified for the court hereby created the juvenile court theretofore existing in Russell County is hereby abolished; and all the powers, duties and jurisdiction in juvenile cases theretofore vested in the judge of probate of Russell County pursuant to the general law or any local law are hereby withdrawn and taken away from him. All cases pending in the abolished court shall be transferred from the docket of that court to the court hereby created and shall proceed as if begun in such court.

Section 7. All laws and parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 2, March 9, March 16, and March 23, all in the year 1967.

JANE GULLATT.

Sworn to and subscribed before me 23rd day of March, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Local Legislation No. 1.

Notice and Proof H. 189:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 16, H. 120, approved May 20, 1943, the Act which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy, and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9), as amended, is amended further to read as follows:

"The salary of each of such deputies shall be four thousand two hundred dollars per annum. Such salaries shall be paid by the county commission out of the general fund in the county treasury in twelve monthly installments."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me Jan. 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Local Legislation No. 1.

Notice and Proof H. 190:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40), as amended, is further amended to read as follows:

"The chief clerk so appointed shall be paid a salary of four hundred dollars per month."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Local Legislation No. 1.

Notice and Proof H. 191:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/8/66)

A BILL TO BE ENTITLED AN ACT

Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the circuit clerk of Russell County has also been appointed and is serving as register in chancery he shall be entitled to appoint a deputy clerk in addition to the deputy provided for in Act No. 75, H. 379, approved May 28, 1943 (Local Acts 1943, p. 41); and such additional deputy shall serve as deputy register of Russell County and perform such other duties as are assigned to him by the

circuit clerk. Such additional deputy shall hold office at the pleasure of the circuit clerk. He shall be paid a salary of three hundred fifty dollars per month out of the general fund of Russell County. Such salary shall be paid at the same time and in the same manner that the salaries of other county employees are paid.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall go into effect on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me 1/18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Local Legislation No. 1.

Notice and Proof H. 192:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL TO BE ENTITLED AN ACT

Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Russell County may appoint and employ one clerk, in addition to the chief clerk authorized by Act No.

74, H. 378, of the Regular Session of 1943 (Local Acts 1943, p. 40). Such clerk shall serve at the pleasure of the probate judge, and shall perform such duties as the judge may prescribe.

Section 2. The compensation of the clerk employed pursuant to Section 1 of this Act shall be three hundred fifty dollars per month, which shall be paid out of the general fund of Russell County at the same time and in the same manner that other employees of the county are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me 1/18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Local Legislation No. 1.

Notice and Proof H. 193.

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 75, H. 379, approved May 28, 1943, the Act which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41), as amended by an Act approved June 19, 1947, is amended further to read as follows:

"Section 2. Such deputy circuit clerk so appointed shall be paid a salary out of the general fund of Russell County of four thousand eight hundred dollars per annum, to be paid in twelve equal monthly installments."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Local Legislation No. 1.

Notice and Proof H. 194:

Legal

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(9429:12/8/66)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Russell County shall receive, in addition to all other compensation heretofore provided by law, an allowance of one hundred dollars (\$100) per month for expenses incurred by him in performing the duties of his office. Such allowance shall be paid from the general fund of the county on warrants drawn as prescribed by law.

Section 2. All laws and parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Local Legislation No. 1.

Notice and Proof H. 195:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(9429:12/9/66)

A BILL
TO BE ENTITLED
AN ACT

To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or other governing body of Russell County is hereby authorized, empowered, and directed to pay the official court reporter of the twenty-sixth judicial circuit a supplemental salary of \$2,400 per annum, payable in equal monthly installments out of the general funds of Russell County. Such salary shall be in addition to the salary provided by Act No. 691, S. 284, Regular Session of 1951, (Acts 1951, p. 1193) as last amended.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me Jan. 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Local Legislation No. 1.

Notice and Proof H. 196:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9450:1/3/67)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Russell County is authorized and empowered to appoint one additional clerk to assist him in the performance of his duties. Such clerk shall serve at the pleasure of the tax assessor and shall be entitled to a salary of \$350.00 per month payable from the general fund of the county upon warrants drawn in the manner provided for the payment of employees of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 12, January 19, January 26, and February 2, all in the year 1967.

JANE GULLATT.

Sworn to and subscribed before me February 2, 1967.

DIXIE G. HOLT,
Notary Public.

By Mr. Brassell (with notice and proof):

H. 197. To provide for compensation of jurors in Russell County.

Local Legislation No. 1.

Notice and Proof H. 197:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/8/66)

A BILL
TO BE ENTITLED
AN ACT

To provide for compensation of jurors in Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Russell County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll. However, only one such travel allowance shall be paid a grand juror for attending any one session of the grand jury and only one such travel allowance shall be paid a petit juror for attending court pursuant to one summons. His service and travel expenses shall be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes and other county dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Local Legislation No. 1.

Notice and Proof H. 198:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of finance and control, court of county commissioners, board of revenue, or other like governing body of Walker County shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county or any economic action committee, board or group formed in Walker County under Public Law 88-452 approved by Congress on August 20, 1964, known as the Economic Opportunity Act of 1964 and approved by the Office of Economic Opportunity, to participate in programs and receive benefits and funds provided for and made available by and from the federal government under said Public Law 88-452, when such county governing body, in its discretion, considers such action to be in the best interests of the county. It is specifically provided that the authority herein above granted shall include the authority to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to any non-profit community action committee, board and group heretofore or hereafter formed in Walker County under the said Economic Opportunity Act of 1964, and approved by the Office of Economic Opportunity. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: February 16, 1967 February 23, 1967 March 2, 1967 March 9, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 13 day of March, 1967.

R. W. BOTELER, JR.,
Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Paulk:

H. J. R. 46. WHEREAS the cost of living has skyrocketed in recent years with the present price of food reaching unprecedented heights; and

WHEREAS national policy has raised food costs and will continue programs to raise the costs of producing and marketing foods; and

WHEREAS housewives must rely on self-help measures in order to bridge the gap between their limited and fixed incomes and unrealistic food prices; and

WHEREAS picketing and boycotting practices, to which some groups have resorted in various areas, are neither appropriate nor effective means of combating inflated areas; and

WHEREAS patriotic citizens planted victory gardens during World War II at the urging of the President, for the purpose of conserving national resources and combating inflation; and

WHEREAS we are currently engaged in conflict with enemies of democracy, and the planting of family gardens would again assist the economy of our nation and its individuals; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabamians should follow the precedent of World War II, and we earnestly urge each family in Alabama to plant a family garden this year if they have the space and means to do so.

On motion of Mr. Paulk the rules were suspended and H. J. R. 46 was adopted.

Also:

By Mr. Turnham:

H. J. R. 47. WHEREAS, the Legislature of Alabama in Special Session assembled in 1966 enacted into law Act No. 340 which provided for a review and study of the administrative and organizational structure of the Department of Agriculture and Industries; and,

WHEREAS, the Public Administration Service was authorized to make this study which is now in progress; and,

WHEREAS, the Honorable Richard (Dick) Beard, Commissioner of Agriculture and Industries, endorsed and supported this legislation last year and as Commissioner he has cooperated and assisted with this survey in every way possible; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we thank and commend Commissioner Beard for his cooperation with the Public Administration Service and with the Legislature of Alabama in carrying out the aims of this legislation.

On motion of Mr. Turnham the rules were suspended and H. J. R. 47 was adopted.

Also:

By Mr. McDonald:

H. J. R. 48. WHEREAS, since the Legislature of the State of Alabama last convened the United States Department of Health, Education and Welfare has issued new and different and more stringent so-called "Guidelines" seeking to further control the operation of the school systems in the State of Alabama, and

WHEREAS, the United States Commission on Civil Rights has recently submitted a report to the President of the United States which calls for the application of the so-called "Guidelines" to every school system in the country—not just in the 17 Southern and Border States, and

WHEREAS, the recommendations of the Civil Rights Commission would impose on Northern and Western communities the same conditions and restrictions which have been applied only to Southern and Border States, and

WHEREAS, the people of the State of Alabama, by their resistance to these illegal requirements and by their resistance to the continued interference with the operations of their school systems, have brought to the attention of the people all over the country the true scope and intent of the so-called "Guidelines", and

WHEREAS, there is increasing opposition throughout the United States to the theory of compulsory balancing and busing of school children, and

WHEREAS, we are reliably informed that the Congress of the United States will soon conduct public hearings on the question of the enforcement policies of the Department of Health, Education and Welfare, and

WHEREAS, we believe a congressional investigation into the practices and policies of the Department of Health, Education and Welfare concerning the school systems would be more helpful, and

WHEREAS, we believe that the Governor, the Attorney General and the State Superintendent of Education should make sure that the thinking of the State of Alabama is given to any Congressional committee, and

WHEREAS, we believe that the people of the State of Alabama desire that the various city and county boards of education consider producing testimony before any committee of Congress set up to investigate the "Guidelines",

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Governor, the Attorney General, The State Superintendent of Education, and the various city and county boards of education are called upon to cooperate fully with any Congressional investigation seeking to show the illegal practices being engaged in by the Department of Health, Education and Welfare and to produce statements, testimony or other evidence of such practices to such committee or committees of Congress.

BE IT FURTHER RESOLVED, that the various city and county Boards of Education are called upon to cooperate in any such investigation and produce evidence of the illegal practices being carried on by the Department of Health, Education and Welfare.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor, Her Excellency Lurleen B. Wallace, the Attorney General, Honorable MacDonald Gallion, the Superintendent of Education, Dr. Ernest Stone, and to each city and county board of education in the State of Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of Congress from the State of Alabama.

On motion of Mr. McDonald the rules were suspended and H. J. R. 48 was adopted.

Also:

By Messrs. Bank, Thomas, Culver, Brown, Sessions, Starnes, Turnham, Drake, Beck and Meade:

H. J. R. 49. WHEREAS Coach Paul "Bear" Bryant has been named Citizen of The Year by the Alabama Broadcaster's Association in recognition of his tremendous contribution to the whole State of Alabama; and

WHEREAS Coach Bryant has not only brought favorable recognition to this State through his sustained and brilliant success as a football coach and builder of men, but he has been a leader in many civic and charitable endeavors including a fund raising drive to build chapels at Bryce Hospital and Partlow State School and Hospital; and

WHEREAS Coach Bryant has had a long and distinguished career in the field of athletics beginning with his outstanding plays as an end on Alabama's championship team which defeated Stanford in the 1935 Rose Bowl game and through subsequent years when he became noted for his ability to rebuild teams into victorious units including the University of Maryland, the University of Kentucky, Texas A and M, and particularly the University of Alabama. Since his return to his alma mater his teams have won three national championships in the years 1961, 1964 and 1965 and the 1966 team was the only major team in the nation to be untied and undefeated; and

WHEREAS Coach Bryant was named Outstanding Citizen of Kentucky by the Kentucky Press Association in 1950, was named National Coach of The Year in 1961, and was elected to the Football Hall of Fame of the State of Arkansas; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Coach Paul "Bear" Bryant upon his being named Citizen of The Year, and we commend the Alabama Broadcasters Association upon their selection of so distinguished and deserving a recipient of their recognition.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Coach Bryant and a copy be sent to Dr. Frank A. Rose.

On motion of Mr. Bank the rules were suspended and H. J. R. 49 was adopted.

Also:

By Messrs. Thomas, Culver, Brown and Bank:

H. J. R. 50. WHEREAS, the Honorable Lurleen Burns Wallace is the first native Tuscaloosan to be elected Governor of the State of Alabama; and

WHEREAS, Mrs. Wallace enjoys the added distinction of being the first woman to serve as Alabama's Chief Executive Officer; and

WHEREAS, to appropriately recognize and honor our charming "First Lady", the date of Wednesday, April 19, 1967 has been set aside and proclaimed Lurleen Wallace Day in Tuscaloosa by: The Greater Tuscaloosa Chamber of Commerce, The City of Tuscaloosa, The City of Northport and The Tuscaloosa County Board of Revenue; and

WHEREAS, invitations to share Tuscaloosa's hospitality on "THE DAY" have been extended The Governor's Staff, Cabinet Members, Members of the State Legislature, Heads of State Departments, The Press, other special guests and their spouses; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to encourage the participation therein of all Alabamians who admire and respect Governor Lurleen B. Wallace.

On motion of Mr. Thomas the rules were suspended and H. J. R. 50 was adopted.

BILLS ON THIRD READING

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Kilgore | Sessions |
| Adwell | Drake | Lemley | Slate |
| Agee | Edington | Lybrand | Smith (C) |
| Bank | Ellis | Malone | Smith (P) |
| Beck | Foshee | Manley | Snell |
| Berryman (R) | Gafford | Marr | Snodgrass |
| Bowers | Garrett | Mathews | Starnes |
| Brassell | Gloor | Mays | Steagall |
| Brown | Graham | McElhaney | Stembridge |
| Burgess | Grayson | McLain | Stubbs |
| Cameron | Hain | Meade | Thomas |
| Collier | Harris | Meeks | Tuck |
| Collins (W) | Haygood | Melton | Turnham |
| Cook (Coffee) | Higginbotham | Merrill | Waggoner |
| Cook (Jefferson) | Hill | Money | Watkins |
| Crane | Hobbie | Neville | Weeks |
| Crawford | Hogan | Owen (Baldwin) | Williams |
| Culver | Holladay | Owens (W.E.) | Wright |
| Dill | Holman | Paulk | Yeilding |
| Dobbs | Jackson (T) | Pearson | Young |
| Doss | Jones | Pruitt | |

—83

And the bill:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Drake | Jones | Pruitt |
| Adwell | Edington | Lemley | Shumate |
| Agee | Ellis | Lybrand | Slate |
| Beck | Fine | Malone | Smith (C) |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Berryman (W) | Gafford | Marr | Snell |
| Bowers | Gloor | Mathews | Snodgrass |
| Brassell | Graham | Mays | Springer |
| Brown | Grayson | McDonald | Starnes |
| Burgess | Hain | McElhanev | Steagall |
| Cameron | Hardin | McLain | Stembridge |
| Cherner | Harper | Meade | Stubbs |
| Collier | Harris | Meeks | Tuck |
| Collins (C) | Haygood | Melton | Turnham |
| Collins (W) | Higginbotham | Merrill | Waggoner |
| Cook (Coffee) | Hill | Money | Watkins |
| Cook (Jefferson) | Hobbie | Neville | Weeks |
| Crane | Hogan | Owen (Baldwin) | Williams |
| Crawford | Holladay | Owens (W) | Wood |
| Dill | Holman | Owens (W.E.) | Wright |
| Dobbs | Jackson (F) | Paulk | Yeilding |
| Doss | Jackson (T) | Pearson | Young |
| Downing | | | |

—89

And the bill:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pearson |
| Adwell | Doss | Jones | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Shumate |
| Bassett | Edington | Lemley | Slate |
| Beck | Ellis | Lybrand | Smith (C) |
| Berryman (R) | Fine | Malone | Snell |
| Berryman (W) | Foshee | Manley | Snodgrass |
| Bowers | Gafford | Marr | Starnes |
| Brassell | Gloor | Mathews | Steagall |
| Brown | Graham | Mays | Stembridge |
| Burgess | Grayson | McDonald | Stubbs |
| Cameron | Hain | McLain | Tuck |
| Cherner | Hardin | Meade | Turnham |
| Collier | Harper | Meeks | Waggoner |
| Collins (C) | Harris | Melton | Watkins |
| Collins (W) | Haygood | Merrill | Weeks |
| Cook (Coffee) | Higginbotham | Money | Williams |
| Cook (Jefferson) | Hill | Neville | Wood |
| Crane | Hogan | Owen (Baldwin) | Wright |
| Crawford | Holladay | Owens (W) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |
| Dill | Jackson (F) | Paulk | |

—91

H. 152 POSTPONED

On motion of Mr. Dill, consideration of the bill, H. 152, was postponed until the next legislative day.

And the bill:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jones | Pearson |
| Adwell | Edington | Kilgore | Perloff |
| Agee | Ellis | Laxson | Pruitt |
| Bank | Fine | Lemley | Sessions |
| Bassett | Foshee | Lybrand | Shumate |
| Beck | Gafford | Malone | Slate |
| Berryman (R) | Garrett | Manley | Smith (C) |
| Berryman (W) | Gloor | Marr | Snell |
| Bowers | Graham | Mathews | Snodgrass |
| Brassell | Grayson | Mays | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Cameron | Hardin | McElhaney | Stembridge |
| Cherner | Harper | McLain | Stubbs |
| Collier | Harris | Meade | Tuck |
| Collins (C) | Haygood | Meeks | Turnham |
| Collins (W) | Higginbotham | Melton | Waggoner |
| Cook (Coffee) | Hill | Merrill | Watkins |
| Cook (Jefferson) | Hogan | Money | Weeks |
| Crane | Holladay | Neville | Williams |
| Crawford | Holman | Owen (Baldwin) | Wood |
| Culver | House | Owens (W) | Wright |
| Dill | Jackson (F) | Owens (W.E.) | Yeilding |
| Dobbs | Jackson (T) | Paulk | Young |
| Doss | | | |

—93

H. 139 POSTPONED

On motion of Mr. Marr, consideration of the bill, H. 139, was postponed until the next legislative day.

UNANIMOUS CONSENT GRANTED

Mr. Downing requested unanimous consent to add his name as a co-author of the bill, H. 162, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 162. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by HB 52, Regular Session 1965, as approved August 26, 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jones | Perloff |
| Adwell | Doss | Kilgore | Pruitt |
| Agee | Downing | Laxson | Sessions |
| Bank | Edington | Lemley | Shumate |
| Bassett | Ellis | Lybrand | Slate |
| Beck | Fine | Malone | Smith (C) |
| Berryman (R) | Foshee | Manley | Snell |
| Berryman (W) | Gafford | Marr | Snodgrass |
| Bowers | Gloor | Mathews | Starnes |
| Brassell | Graham | Mays | Steagall |
| Brown | Grayson | McDonald | Stembridge |
| Burgess | Hain | McElhaney | Stubbs |
| Cameron | Hardin | Meade | Tuck |
| Cherner | Harper | Meeks | Turnham |
| Collier | Harris | Melton | Waggoner |
| Collins (C) | Haygood | Merrill | Watkins |
| Collins (W) | Higginbotham | Money | Weeks |
| Cook (Coffee) | Hill | Neville | Williams |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wood |
| Crane | Holman | Owens (W) | Wright |
| Crawford | House | Paulk | Yeilding |
| Culver | Jackson (F) | Pearson | Young |
| Dill | Jackson (T) | | |

—90

And the bill:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | Jones | Pearson |
| Adwell | Doss | Kilgore | Perloff |
| Agee | Downing | Laxson | Pruitt |
| Bank | Edington | Lemley | Sessions |
| Bassett | Ellis | Lybrand | Shumate |
| Beck | Fine | Malone | Slate |
| Berryman (R) | Foshee | Manley | Smith (C) |
| Berryman (W) | Gafford | Marr | Snell |
| Bowers | Garrett | Mathews | Snodgrass |
| Brassell | Graham | Mays | Starnes |
| Brown | Grayson | McDonald | Steagall |
| Burgess | Hain | McElhaney | Stubbs |
| Cameron | Hardin | McLain | Tuck |
| Cherner | Harper | Meade | Turnham |
| Collier | Harris | Meeks | Waggoner |
| Collins (C) | Haygood | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Weeks |
| Cook (Coffee) | Hill | Money | Williams |
| Cook (Jefferson) | Hogan | Neville | Wood |
| Crane | Holman | Owen (Baldwin) | Wright |
| Crawford | House | Owens (W) | Yeilding |
| Culver | Jackson (F) | Owens (W.E.) | Young |
| Dill | Jackson (T) | Paulk | |

—91

And the bill:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jones | Pearson |
| Adwell | Drake | Kilgore | Perloff |
| Agee | Edington | Laxson | Pruitt |
| Bank | Ellis | Lemley | Sessions |
| Beck | Fine | Lybrand | Shumate |
| Berryman (R) | Foshee | Malone | Slate |
| Berryman (W) | Gafford | Manley | Smith (C) |
| Bowers | Garrett | Marr | Snell |
| Brassell | Graham | Mathews | Snodgrass |
| Brown | Grayson | Mays | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Cameron | Hardin | McElhaney | Stembridge |
| Cherner | Harper | McLain | Stubbs |
| Collier | Harris | Meade | Tuck |
| Collins (C) | Haygood | Meeks | Turnham |
| Collins (W) | Higginbotham | Melton | Waggoner |
| Cook (Coffee) | Hill | Merrill | Watkins |
| Cook (Jefferson) | Hobbie | Money | Weeks |
| Crane | Hogan | Neville | Williams |
| Crawford | Holman | Owen (Baldwin) | Wood |
| Culver | House | Owens (W) | Wright |
| Dill | Jackson (F) | Owens (W.E.) | Yeilding |
| Dobbs | Jackson (T) | Paulk | Young |
| Doss | | | |

—93

And the bill:

H. 141 (with substitute). To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Agriculture, said committee substitute being as follows:

BY: AGRICULTURE COMMITTEE
SUBSTITUTE FOR H. B. 141

A BILL
TO BE ENTITLED
AN ACT

To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public

corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000:

Be It Enacted by the Legislature of Alabama:

Section 1. There is added to Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities the following Subsection:

"Section 8A. Corporate powers. The corporation shall have the following powers together with all powers incidental thereto or necessary for the performance of those hereinafter stated: (1) to have succession by its corporate name for the period specified in the certificate of incorporation unless sooner dissolved as hereinafter provided; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and to use a corporate seal and to alter the same at pleasure; (4) to acquire, whether by condemnation, purchase, exchange, gift, lease, devise or otherwise, and to construct, enlarge, improve, maintain, equip and furnish one or more facilities, including all real and personal properties which the board of directors of the corporation may deem necessary or convenient in connection therewith and regardless of whether or not any such facilities shall then be in existence and whether or not the same shall then be publicly or privately owned and whether or not the same shall then be used by the municipality; (5) to operate and to lease to others any or all of its facilities; (6) to fix and collect admission fees to, and rents and charges for the use of, its facilities or of any part thereof and to make and enforce regulations for the termination of any admission privileges or licenses granted by it and the discontinuance of any leases or services upon the failure to pay any fees, charges or rents provided therefor; (7) to issue its revenue bonds for the purpose of carrying out any of its powers; (8) as security for the payment of the principal of and interest on any bonds so issued and any obligations incurred in connection therewith, to mortgage and pledge its facilities, or any part or parts thereof, whether then owned or thereafter acquired, and to pledge the rents and revenues therefrom or from any thereof; (9) to exchange, sell and convey any of its facilities which shall have become worn out or obsolete or which shall not be needed for the furtherance of its corporate purposes; (10) to exercise all powers of eminent domain now or hereafter conferred on municipalities in this state and to take and condemn property needed for its corporate purposes anywhere within ten miles of the city limits in which the corporation is incorporated; (11) to appoint and employ such officers, employees and agents, including attorneys, as the board of directors shall deem necessary for the business of the corporation; and (12) to purchase machinery and equipment on the installment plan, to borrow money for such purpose and to issue negotiable notes or other evidence of debt in evidence thereof, and as security therefor, to pledge and mortgage the machinery so purchased. Provided, however, this subsection shall apply only to counties having a population of 65,000 to 95,000 according to the last or any subsequent Federal Decennial Census."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Doss | Holman | Owens (W.E.) |
| Adwell | Downing | House | Paulk |
| Agee | Drake | Jackson (F) | Pearson |
| Bank | Edington | Jackson (T) | Perloff |
| Beck | Ellis | Jones | Pruitt |
| Berryman (R) | Fine | Laxson | Sessions |
| Berryman (W) | Foshee | Lemley | Shumate |
| Bowers | Gafford | Lybrand | Slate |
| Brassell | Garrett | Malone | Smith (C) |
| Burgess | Gloor | Marr | Snell |
| Cameron | Graham | Mathews | Starnes |
| Cherner | Grayson | Mays | Steagall |
| Collier | Hain | McDonald | Stembridge |
| Collins (C) | Hardin | McElhaney | Stubbs |
| Collins (W) | Harper | Meade | Tuck |
| Cook (Coffee) | Harris | Meeks | Turnham |
| Cook (Jefferson) | Haygood | Melton | Watkins |
| Crane | Headley | Merrill | Weeks |
| Crawford | Higginbotham | Money | Williams |
| Culver | Hill | Neville | Wood |
| Dill | Hobbie | Owen (Baldwin) | Wright |
| Dobbs | Hogan | Owens (W) | Yeilding |

—88

Mr. Smith (P) offered the following substitute for the bill, H. 141, as thus amended:

SUBSTITUTE FOR H. B. 141

A BILL TO BE ENTITLED AN ACT

To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities is amended to read as follows:

"Section 8. Corporate powers. The corporation shall have the following powers together with all powers incidental thereto or necessary for the performance of those hereinafter stated: (1) to have succession by its corporate name for the period specified in the certificate of incorporation unless sooner dissolved as hereinafter provided; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and to use a corporate seal and to alter the same at pleasure; (4) to acquire, whether by condemnation, purchase, exchange, gift, lease, devise or otherwise, and to construct, enlarge, improve, maintain, equip and furnish one or more facilities, including all real and personal properties which the board of directors of the corporation may deem necessary or convenient in connection therewith and regard-

less of whether or not any such facilities shall then be in existence and whether or not the same shall then be publicly or privately owned and whether or not the same shall then be used by the municipality; (5) to operate and to lease to others any or all of its facilities; (6) to fix and collect admission fees to, and rents and charges for the use of, its facilities or of any part thereof and to make and enforce regulations for the termination of any admission privileges or licenses granted by it and the discontinuance of any leases or services upon the failure to pay any fees, charges or rents provided therefor; (7) to issue its revenue bonds for the purpose of carrying out any of its powers; (8) as security for the payment of the principal of and interest on any bonds so issued and any obligations incurred in connection therewith, to mortgage and pledge its facilities, or any part or parts thereof, whether then owned or thereafter acquired, and to pledge the rents and revenues therefrom or from any thereof; (9) to exchange, sell and convey any of its facilities which shall have become worn out or obsolete or which shall not be needed for the furtherance of its corporate purposes; (10) to exercise all powers of eminent domain now or hereafter conferred on municipalities in this state; provided, however, that in counties having a population of not less than 65,000 nor more than 95,000 according to the last or any subsequent federal decennial census the corporation shall have the power to take and condemn property needed for its corporate purposes anywhere within ten miles of the city limits in which the corporation is incorporated; (11) to appoint and employ such officers, employees and agents, including attorneys, as the board of directors shall deem necessary for the business of the corporation; and (12) to purchase machinery and equipment on the installment plan, to borrow money for such purpose and to issue negotiable notes or other evidence of debt in evidence thereof, and as security therefor, to pledge and mortgage the machinery so purchased.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The motion of Mr. Turnham to postpone further consideration of the bill, H. 141, as amended, and pending substitute until the next legislative day was lost.

And the substitute offered by Mr. Smith (P) for the bill, H. 141, as amended, was adopted.

Yeas 92; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|----------------|
| Mr. Speaker | Crawford | Hardin | Lybrand |
| Adwell | Culver | Harper | Malone |
| Agee | Dill | Harris | Manley |
| Bassett | Dobbs | Haygood | Mathews |
| Beck | Doss | Headley | Mays |
| Berryman (R) | Downing | Higginbotham | McDonald |
| Berryman (W) | Drake | Hill | McElhaney |
| Bowers | Edington | Hogan | McLain |
| Brassell | Ellis | Holladay | Meade |
| Burgess | Fine | Holman | Meeks |
| Cameron | Foshee | House | Melton |
| Cherner | Gafford | Jackson (F) | Merrill |
| Collier | Garrett | Jackson (T) | Money |
| Collins (W) | Gloor | Jones | Neville |
| Cook (Coffee) | Graham | Kilgore | Owen (Baldwin) |
| Cook (Jefferson) | Grayson | Laxson | Owens (W) |
| Crane | Hain | Lemley | Owens (W.E.) |

| | | | |
|------------|-----------|------------|----------|
| Paulk | Slate | Starnes | Watkins |
| Pearson | Smith (C) | Steagall | Weeks |
| Pennington | Smith (P) | Stembridge | Williams |
| Perloff | Snell | Stubbs | Wright |
| Sessions | Snodgrass | Tuck | Yeilding |
| Shumate | Springer | Waggoner | Young |

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And said bill, H. 141, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|-----------|
| Mr. Speaker | Edington | Jackson (T) | Paulk |
| Adwell | Ellis | Jones | Pearson |
| Agee | Fine | Kilgore | Perloff |
| Bassett | Foshee | Laxson | Sessions |
| Beck | Gafford | Lemley | Shumate |
| Berryman (R) | Gloor | Lybrand | Slate |
| Bowers | Graham | Malone | Smith (C) |
| Brassell | Grayson | Manley | Smith (P) |
| Burgess | Hain | Marr | Snell |
| Cameron | Hardin | Mays | Snodgrass |
| Cherner | Harper | McDonald | Springer |
| Collier | Harris | McElhanev | Starnes |
| Collins (W) | Haygood | McLain | Steagall |
| Cook (Coffee) | Headley | Meade | Stubbs |
| Crane | Higginbotham | Meeks | Tuck |
| Crawford | Hill | Melton | Waggoner |
| Culver | Hobbie | Merrill | Watkins |
| Dill | Hogan | Money | Weeks |
| Dobbs | Holladay | Neville | Williams |
| Doss | Holman | Owen (Baldwin) | Wright |
| Downing | House | Owens (W) | Yeilding |
| Drake | Jackson (F) | Owens (W.E.) | Young |

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And the bill:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

This bill does not make an appropriation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 2.

Yeas:

| | | | |
|--------------|------------------|----------|---------|
| Mr. Speaker | Brown | Dill | Garrett |
| Adwell | Cameron | Dobbs | Gloor |
| Agee | Cherner | Doss | Graham |
| Bank | Collier | Downing | Grayson |
| Bassett | Collins (W) | Drake | Hain |
| Beck | Cook (Coffee) | Edington | Hardin |
| Berryman (R) | Cook (Jefferson) | Ellis | Harper |
| Berryman (W) | Crane | Fine | Harris |
| Bowers | Crawford | Foshee | Haygood |
| Brassell | Culver | Gafford | Headley |

| | | | |
|--------------|----------------|--------------|------------|
| Higginbotham | Manley | Owens (W.E.) | Steagall |
| Hill | Marr | Paulk | Stembridge |
| Hobbie | Mathews | Pearson | Stubbs |
| Hogan | Mays | Pennington | Thomas |
| Holladay | McDonald | Perloff | Tuck |
| Holman | McElhaney | Pruitt | Turnham |
| House | McLain | Sessions | Waggoner |
| Jackson (F) | Meade | Shumate | Watkins |
| Jackson (T) | Meeks | Smith (C) | Weeks |
| Jones | Melton | Smith (P) | Williams |
| Kilgore | Merrill | Snell | Wood |
| Laxson | Money | Snodgrass | Wright |
| Lemley | Neville | Springer | Yeilding |
| Lybrand | Owen (Baldwin) | Starnes | Young |
| Malone | Owens (W) | | |

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Nays: Messrs: Burgess and Slate

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 22. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the Senate adjourns today, March 21, it adjourn to meet again on Wednesday, March 22, and that when it adjourns on March 22, it adjourn to meet again on Thursday, March 23, and that when the Senate adjourns on Thursday, March 23, it adjourn to meet again on Tuesday, March 28, and that when the House adjourns on Friday, March 24, it adjourn to meet again on Tuesday, March 28.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 22 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Messrs. Goodwyn, Harris, Branyon, Turner, Folsom, Giles, Gilmore, Pelham, Clark, Vacca, Albea, Hawkins, and Cooper:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipali-

ties of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 23. Ways and Means.

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until Tuesday, March 28, 1967, at two o'clock P.M. was lost.

Yeas 25; Nays 56.

Yeas:

| | | | |
|---------------|----------|--------|-----------|
| Mr. Speaker | Downing | Hain | Paulk |
| Berryman (R) | Drake | Hogan | Perloff |
| Brassell | Edington | Lemley | Smith (C) |
| Collier | Fine | Manley | Steagall |
| Collins (W) | Graham | Marr | Tuck |
| Cook (Coffee) | Grayson | Melton | Wood |
| Crane | | | |

—25

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Messrs.: | Hardin | Malone | Slate |
| Adwell | Harper | Mathews | Smith (P) |
| Agee | Harris | Mays | Snodgrass |
| Berryman (W) | Haygood | McElhaney | Springer |
| Cameron | Higginbotham | McLain | Stembridge |
| Cherner | Hill | Merrill | Stubbs |
| Crawford | Hobbie | Money | Turnham |
| Culver | House | Neville | Waggoner |
| Dobbs | Jackson (F) | Owen (Baldwin) | Watkins |
| Doss | Jackson (T) | Owens (W) | Weeks |
| Ellis | Jones | Pennington | Williams |
| Foshee | Kilgore | Pruitt | Wright |
| Gafford | Laxson | Sessions | Yeilding |
| Garrett | Lybrand | Shumate | Young |
| Gloor | | | |

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UNANIMOUS CONSENTS GRANTED

Messrs. Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Brassell, Cameron, Collier, Collins (C), Crane, Culver, Dill, Doss, Downing, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Grayson, Hardin, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Lybrand, Malone, Marr, Mays, McElhaney, McLain, Meade, Money, Paulk, Pennington, Perloff, Sessions, Smith (C), Snodgrass, Springer, Starnes, Stubbs, Thomas, Waggoner, Watkins, Weeks, Williams, Yeilding and Young requested unanimous consent to add their names as co-authors of the bill, H. 97, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Was taken up.

Mr. Turnham offered the following substitute for the bill, H. 97:

A BILL
TO BE ENTITLED
AN ACT

To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That all persons now employed on a full time basis in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama within ninety (90) days after effective date of this Act subject to such rules and regulations as may be promulgated by the Board of Control of the Teachers' Retirement System of Alabama. Any person hereafter employed in an administrative or clerical capacity by the Alabama High School Athletic Association shall be deemed to be a "teacher" as defined in Section 362 of Title 52, 1940 Code of Alabama as amended and shall be entitled to the benefits thereof.

Section 2. Any person now employed as set out in Section 1 hereof shall be entitled to receive credit for all service as a "teacher" or as an employee of the Alabama High School Athletic Association rendered by him prior to the effective date of this Act provided that a sum equal to the total contributions which he would have made as a member during the period of such employment plus regular interest at four per cent is paid within ninety (90) days after the effective date of this Act.

Section 3. This Act shall become effective October 1, 1967.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|--------------|
| Mr. Speaker | Culver | Haygood | Manley |
| Adwell | Dill | Headley | Marr |
| Agee | Doss | Higginbotham | Mays |
| Bank | Downing | Hill | McElhaney |
| Bassett | Drake | Hobbie | Meade |
| Beck | Edington | Hogan | Meeks |
| Berryman (R) | Ellis | Holladay | Melton |
| Berryman (W) | Fine | Holman | Merrill |
| Brassell | Foshee | House | Money |
| Burgess | Gafford | Jackson (F) | Owens (W) |
| Cameron | Garrett | Jackson (T) | Owens (W.E.) |
| Cherner | Gloor | Jones | Paulk |
| Collier | Graham | Kilgore | Pennington |
| Cook (Coffee) | Grayson | Laxson | Pruitt |
| Cook (Jefferson) | Hain | Lemley | Sessions |
| Crane | Hardin | Lybrand | Slate |
| Crawford | Harris | Malone | Smith (C) |

| | | | |
|-----------|------------|----------|----------|
| Snodgrass | Stembridge | Waggoner | Wright |
| Springer | Stubbs | Watkins | Yeilding |
| Starnes | Thomas | Weeks | Young |
| Steagall | Turnham | Williams | |

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And said bill, H. 97, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Edington | Jackson (F) | Pennington |
| Adwell | Ellis | Jackson (T) | Perloff |
| Agee | Fine | Jones | Pruitt |
| Bassett | Foshee | Kilgore | Sessions |
| Beck | Gafford | Laxson | Slate |
| Berryman (W) | Garrett | Lemley | Smith (C) |
| Brassell | Gloor | Lybrand | Snodgrass |
| Brown | Graham | Malone | Springer |
| Burgess | Grayson | Manley | Starnes |
| Cameron | Hain | Marr | Steagall |
| Cherner | Hardin | Mays | Stembridge |
| Collier | Harris | McElhaney | Stubbs |
| Cook (Coffee) | Haygood | McLain | Thomas |
| Cook (Jefferson) | Headley | Meade | Turnham |
| Crane | Higginbotham | Meeks | Waggoner |
| Crawford | Hill | Melton | Watkins |
| Culver | Hobbie | Merrill | Weeks |
| Dill | Hogan | Money | Williams |
| Doss | Holladay | Owens (W) | Wright |
| Downing | Holman | Owens (W.E.) | Young |
| Drake | House | Paulk | |

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ADJOURNMENT

On motion of Mr. Turnham the House adjourned until Tuesday, March 28, 1967, at one o'clock P. M.

FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 28, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Canon Dilwyn Davies, Rector Rugby Parish, Rugby, England, Locum Tenens of St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Jones | Perloff |
| Adwell | Dobbs | Kilgore | Pruitt |
| Agee | Doss | Laxson | Sessions |
| Bank | Downing | Lemley | Shumate |
| Bassett | Edington | Lybrand | Slate |
| Beck | Ellis | Malone | Smith (C) |
| Berryman (R) | Fine | Manley | Smith (P) |
| Berryman (W) | Foshee | Marr | Snell |
| Blanton | Gafford | Mathews | Snodgrass |
| Bolton | Garrett | Mays | Springer |
| Bowers | Gloor | McCorquodale | Starnes |
| Brannan | Graham | McDonald | Steagall |
| Brassell | Grayson | McElhaney | Stembridge |
| Brown | Hain | McLain | Stubbs |
| Burgess | Harris | Meade | Thomas |
| Burgreen | Haygood | Meeks | Tuck |
| Cameron | Headley | Melton | Turnham |
| Cherner | Higginbotham | Merrill | Waggoner |
| Collier | Hill | Money | Watkins |
| Collins (C) | Hobbie | Neville | Weeks |
| Collins (W) | Hogan | Owen (Baldwin) | Williams |
| Cook (Coffee) | Holladay | Owens (W) | Wood |
| Cook (Jefferson) | Holman | Owens (W.E.) | Wright |
| Crane | House | Pearson | Yelding |
| Crawford | Jackson (F) | Pennington | Young |
| Culver | Jackson (T) | | |

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Stembridge leave of absence was granted to Mr. Crawford because of illness in the family.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 51. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Her Excellency, Governor Lurleen B. Wallace, be and she hereby is cordially invited to address a joint session of the two houses of the legislature in the hall of the House of Representatives at 7:30 p. m. on Thursday, March 30.

On motion of Mr. Merrill the rules were suspended and H. J. R. 51 was adopted.

BILLS ON SECOND READING

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 120 (with amendment). To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

The above bill was read a second time at length as required by the Constitution.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 24 (with amendments). Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

H. 182. To apply only in counties having populations of not less than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

H. 197. To provide for compensation of jurors in Russell County.

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lybrand, Burgess and Merrill:

H. 199. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for clerks of the circuit courts of such counties.

Local Legislation No. 1.

By Mr. Malone (with notice and proof):

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Local Legislation No. 1.

Notice and Proof H. 200:

STATE OF ALABAMA COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Gadsden in Etowah County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 12 South, Range 6 East, Etowah County, Alabama, and thence run in a Westerly direction and along the North line of said forty a distance of 1214 feet to a point thence deflect 90 degrees 15 minutes to the left and run 35 feet to the point of intersection of the South line of Fourth Street with the Northeasterly line of Paden Road; thence deflect 145 degrees 55 minutes to the left and run along the Northeasterly line of Paden Road for a distance of 1469.3 feet to a point in the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, section 23; thence deflect 124 degrees 20 minutes to the left and run along the East line of said forty for a distance of 858.1 feet to the point of beginning. The above described property lies in and forms a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 11 South Range 6 East, Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Ann E. Stanfield, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times to make this affidavit;

That there is glued to said a fidavit notice of the Legal Ad, which notice was printed in The Gadsden Times in its regularly circulated editions on March 4, 11th, 18, and 25th 1967, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 27th day of March, 1967.

ANN E. STANFIELD.

Subscribed and sworn to before me on this the 27th day of March, 1967.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Mr. Turnham:

H. 201. To provide for compulsory retirement of teachers at age sixty-five.

Education.

By Messrs. Owen (Baldwin), Brannan, Hogan, Downing, Perloff, Grayson, Edington, Smith (C), Collins (C), Wood, Marr and Collins (W):

H. 202. To amend Act No. 419. H. B. 459, Special Session 1966, entitled "An Act To exempt fuel and supplies used aboard commercial fishing vessels from sales and use taxes."

Ways and Means.

By Messrs. Meade, Beck and Williams:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Local Legislation No. 1.

By Messrs. Thomas and Stubbs:

H. 204. To amend further Code of Alabama 1940, Title 51, Sections 655 and 657, both of which relate to the distribution of the proceeds of the state's gasoline excise tax and to repeal conflicting laws.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

Naming a building at
Enterprise Junior College

By Mr. Cook (Coffee):

H. J. R. 52. WHEREAS the Enterprise Chamber of Commerce Junior College Committee has unanimously voted to recommend that the new gymnasium at Enterprise Junior College be named to honor a distinguished member of this body; and

WHEREAS the governing authority of that institution is unable to act on such recommendation without legislative authority; be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the building constructed as a gymnasium for Enterprise Junior College shall be named, designated and known as the "Ray Lolley Gymnasium" in honor of Senator Ray Lolley, who has contributed so greatly to this fine state institution of learning.

On motion of Mr. Cook (Coffee) the rules were suspended and H. J. R. 52 was adopted.

Also:

By Mr. Wright:

H. J. R. 53. WHEREAS, Dr. J. O. Finney of Gadsden, Etowah County, Alabama, distinguished physician and citizen, has through his years of practice brought great honor to his profession, his community and his state; and

WHEREAS, Dr. Finney has dedicated his life to healing the sick, serving his profession through teaching, consultation and providing leadership in many of its organizations; and

WHEREAS, Dr. Finney has served in many positions of leadership and responsibility in State, community and National Medical Associations and organizations, a few of which are; Professor of Clinical Medicine, University of Alabama Medical College, Consultant in Internal Medicine, Veterans Administration Hospital, Birmingham, President of Alabama Heart Association, President, Alabama Society of Internal Medicine, President, Etowah County Medical Association, President, Etowah County Mental Health Association, President, Vanderbilt University Medical Alumni Association, Member of State of Alabama Board of Health, Member of Alabama State Board of Medical Censors for thirteen years, Trustee of Snead College, Boaz, Alabama, Head of Department of Medicine, Holy Name of Jesus Hospital, Gadsden, Alabama, Diplomate of the American Board of Internal Medicine, Fellow of the American College of Physicians, and Lt. Colonel, United States Army Medical Corps; and

WHEREAS, in recognition of his outstanding contribution and service to his profession, his fellow physicians in 1966 elected Dr. Finney and he is presently serving as President of the Alabama Medical Association, and

WHEREAS, in addition to his outstanding service to humanity and his profession, Dr. Finney has contributed to and been active in his church and community affairs, and

WHEREAS, Dr. Finney, though widely recognized and acclaimed, has remained modest and gracious and is deeply respected and loved by all those who know him and have been associated with him; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, that we express our most sincere appreciation to Dr. J. O. Finney of Gadsden, Alabama, for his dedicated and outstanding service to humanity and the medical profession of Alabama and the United States.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to Dr. J. O. Finney and to the offices of the Alabama Medical Association and the American Medical Association.

On motion of Mr. Wright the rules were suspended and H. J. R. 53 was adopted.

Also:

By Mr. Fine:

H. J. R. 54. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the recent death of a distinguished Alabama citizen, former State Senator Oliver E. Young, who throughout a long and useful career had ably served our country and our state, as well as his home county and town. We particularly note here from among his many services some which have inured especially to the honor, welfare, growth or development of Alabama. Mr. Young was awarded the Silver Star Medal while serving overseas as an officer in the United States Army. He was an active member of the State and County Bar Associations and a former county solicitor. He served as Chairman of the Alabama State Oil and Gas Board, Trustee of Alabama College, Chairman of the Alabama Public Works Board and Chairman of the Alabama State Welfare Board. He had been mayor of Vernon, his home town and was a steward in the Vernon Methodist Church.

BE IT FURTHER RESOLVED, That the sincere sympathy of this body is extended to his surviving sons and daughter.

BE IT RESOLVED ALSO That a copy of this resolution be sent to each of Senator Young's sons and to his daughter.

On motion of Mr. Fine the rules were suspended and H. J. R. 54 was adopted.

Also:

By Messrs. Bank, Culver, Brown and Thomas:

H. J. R. 55. WHEREAS two Tuscaloosa newsmen, sports editor Charles Land of the Tuscaloosa News and Stan Siegal, sports director of radio station WTBC, have been selected Alabama's most outstanding sportswriter and sportscaster by their peers in their respective fields to represent this State in the eighth annual National Sportscasters and Sportswriters awards sweepstakes; and

WHEREAS Mr. Land, who attended the University of Alabama where he majored in journalism, has, except for a brief interval, been sports editor of the Tuscaloosa News since 1955, and has received numerous awards from the Associated Press of Alabama for his columns and writings; and

WHEREAS Mr. Siegal, who graduated in radio and television from the University of Alabama joined the staff of Tuscaloosa Radio Station WTBC in 1960 after previous experience in Birmingham and in Hattiesburg, Mississippi. In addition to being sports director, Mr. Siegal is also advertising director and general manager of the station; and

WHEREAS Mr. Land and Mr. Siegal will be honored at the annual awards meeting of the N. S. S. A. in Salisbury, North Carolina on April 3-4 at which time the top national awards winners will be named; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Land and Mr. Siegal for the richly deserved recognition bestowed upon them, and commend them for the informative and interesting manner of presentation of material which each of them has sustained in his chosen profession.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Land and Mr. Siegal and to the National Sportscasters and Sportswriters Association.

On motion of Mr. Bank the rules were suspended and H. J. R. 55 was adopted.

H. 152 POSTPONED

On motion of Mr. Dill, consideration of the bill, H. 152, was postponed until the next legislative day.

BILLS ON THIRD READING

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nay 1.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Gafford | Kilgore | Pruitt |
| Agee | Garrett | Laxson | Sessions |
| Bassett | Gloor | Lemley | Slate |
| Berryman (W) | Graham | Lybrand | Smith (C) |
| Blanton | Grayson | Malone | Smith (P) |
| Brassell | Hain | Marr | Snell |
| Burgess | Harper | Mays | Snodgrass |
| Cameron | Harris | McDonald | Springer |
| Cherner | Haygood | McElhaney | Steagall |
| Collins (W) | Headley | Meade | Stembridge |
| Crane | Higginbotham | Melton | Stubbs |
| Culver | Hill | Merrill | Tuck |
| Dill | Hobbie | Money | Watkins |
| Dobbs | Hogan | Neville | Williams |
| Doss | Holladay | Owen (Baldwin) | Wood |
| Downing | Holman | Owens (W) | Wright |
| Drake | Jackson (F) | Owens (W.E.) | Yeilding |
| Fine | Jackson (T) | Pearson | Young |
| Foshee | | | |

Nay: Mrs. Collins (C)

—73

—1

And the bill:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Holladay | Pearson |
| Adwell | Dill | Jackson (F) | Pruitt |
| Agee | Dobbs | Jackson (T) | Sessions |
| Bassett | Doss | Laxson | Shumate |
| Beck | Downing | Lemley | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snodgrass |
| Brannan | Gloor | Mathews | Starnes |
| Brassell | Graham | Mays | Steagall |
| Brown | Grayson | McElhaney | Stembridge |
| Burgess | Hain | Meade | Stubbs |
| Cameron | Harper | Meeks | Tuck |
| Cherner | Harris | Melton | Waggoner |
| Collier | Haygood | Merrill | Watkins |
| Collins (C) | Headley | Money | Weeks |
| Collins (W) | Higginbotham | Neville | Williams |
| Cook (Coffee) | Hill | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hobbie | Owens (W) | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |

—80

And the bill:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Collier | Graham | Lemley |
| Adwell | Collins (C) | Grayson | Malone |
| Agee | Collins (W) | Hain | Manley |
| Bassett | Cook (Coffee) | Harper | Marr |
| Beck | Cook (Jefferson) | Harris | Mays |
| Berryman (R) | Crane | Haygood | McElhaney |
| Berryman (W) | Culver | Headley | Meade |
| Blanton | Dill | Higginbotham | Meeks |
| Brannan | Dobbs | Hill | Melton |
| Brassell | Doss | Hobbie | Merrill |
| Brown | Downing | Hogan | Money |
| Burgess | Fine | Holman | Neville |
| Burgreen | Foshee | Jackson (F) | Owen (Baldwin) |
| Cameron | Gafford | Jackson (T) | Owens (W) |
| Cherner | Gloor | Laxson | Owens (W.E.) |

| | | | |
|-----------|------------|----------|----------|
| Pearson | Smith (P) | Stubbs | Weeks |
| Pruitt | Snodgrass | Tuck | Williams |
| Sessions | Starnes | Turnham | Wood |
| Shumate | Steagall | Waggoner | Wright |
| Slate | Stembridge | Watkins | Yeilding |
| Smith (C) | | | |

—81

And the bill:

H. 149. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Kilgore | Perloff |
| Adwell | Doss | Laxson | Pruitt |
| Agee | Downing | Lemley | Sessions |
| Bassett | Fine | Lybrand | Shumate |
| Beck | Foshee | Malone | Slate |
| Berryman (R) | Gafford | Manley | Smith (C) |
| Berryman (W) | Gloor | Marr | Smith (P) |
| Blanton | Graham | Mays | Snodgrass |
| Brannan | Grayson | McCorquodale | Starnes |
| Brassell | Hain | McDonald | Steagall |
| Brown | Harper | McElhaney | Stembridge |
| Burgess | Harris | Meade | Stubbs |
| Cameron | Haygood | Meeks | Tuck |
| Collier | Headley | Melton | Waggoner |
| Collins (C) | Higginbotham | Merrill | Watkins |
| Collins (W) | Hill | Money | Weeks |
| Cook (Coffee) | Hobbie | Neville | Williams |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wood |
| Crane | Holman | Owens (W) | Wright |
| Culver | Jackson (F) | Owens (W.E.) | Yeilding |
| Dill | Jackson (T) | Pearson | |

—83

And the bill:

H. 164. To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, law and equity Courts, county courts or other county courts of record in Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

| | | | |
|--------------|----------|------------------|---------|
| Mr. Speaker | Blanton | Collins (C) | Doss |
| Adwell | Brannan | Collins (W) | Downing |
| Agee | Brassell | Cook (Coffee) | Drake |
| Bank | Brown | Cook (Jefferson) | Ellis |
| Bassett | Burgess | Crane | Fine |
| Beck | Cameron | Culver | Foshee |
| Berryman (R) | Cherner | Dill | Gafford |
| Berryman (W) | Collier | Dobbs | Gloor |

| | | | |
|--------------|--------------|----------------|------------|
| Graham | Jackson (T) | Melton | Snodgrass |
| Grayson | Kilgore | Merrill | Starnes |
| Hain | Laxson | Money | Steagall |
| Harper | Lemley | Owen (Baldwin) | Stembridge |
| Harris | Lybrand | Owens (W) | Stubbs |
| Haygood | Malone | Pearson | Tuck |
| Headley | Manley | Perloff | Waggoner |
| Higginbotham | Marr | Pruitt | Watkins |
| Hill | Mathews | Sessions | Weeks |
| Hobbie | Mays | Shumate | Williams |
| Hogan | McCorquodale | Slate | Wood |
| Holman | Meade | Smith (C) | Wright |
| Jackson (F) | Meeks | Smith (P) | Yeilding |

—84

And the bill:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Perloff |
| Adwell | Doss | Kilgore | Pruitt |
| Agee | Downing | Laxson | Sessions |
| Bank | Drake | Lemley | Shumate |
| Bassett | Ellis | Lybrand | Slate |
| Beck | Fine | Malone | Smith (C) |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Berryman (W) | Gafford | Marr | Snodgrass |
| Blanton | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgess | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Tuck |
| Cherner | Haygood | Meeks | Turnham |
| Collier | Headley | Melton | Waggoner |
| Collins (C) | Higginbotham | Merrill | Watkins |
| Collins (W) | Hill | Money | Weeks |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Owens (W) | Wood |
| Crane | Holman | Owens (W.E.) | Wright |
| Culver | Jackson (F) | Pearson | Yeilding |
| Dill | | | |

—89

And the bill:

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | Jackson (T) | Owens (W.E.) |
| Adwell | Doss | Kilgore | Pearson |
| Agee | Downing | Laxson | Perloff |
| Bank | Drake | Lemley | Pruitt |
| Bassett | Edington | Lybrand | Sessions |
| Beck | Ellis | Malone | Shumate |
| Berryman (R) | Fine | Manley | Smith (C) |
| Berryman (W) | Foshee | Marr | Smith (P) |
| Blanton | Gafford | Mathews | Snell |
| Brannan | Gloor | Mays | Snodgrass |
| Brassell | Graham | McCorquodale | Starnes |
| Burgess | Grayson | McDonald | Steagall |
| Burgreen | Hain | McElhaney | Stembridge |
| Cameron | Harper | McLain | Stubbs |
| Cherner | Harris | Meade | Tuck |
| Collier | Haygood | Meeks | Turnham |
| Collins (C) | Headley | Melton | Waggoner |
| Collins (W) | Higginbotham | Merrill | Watkins |
| Cook (Coffee) | Hill | Money | Weeks |
| Cook (Jefferson) | Hobbie | Neville | Wood |
| Crane | Hogan | Owen (Baldwin) | Wright |
| Culver | Holman | Owens (W) | Yeilding |
| Dill | Jackson (F) | | |

—90

And the bill:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | Jackson (F) | Owens (W.E.) |
| Adwell | Doss | Jackson (T) | Pearson |
| Agee | Downing | Kilgore | Perloff |
| Bank | Drake | Laxson | Pruitt |
| Bassett | Edington | Lemley | Sessions |
| Beck | Ellis | Lybrand | Shumate |
| Berryman (R) | Fine | Malone | Slate |
| Berryman (W) | Foshee | Manley | Smith (C) |
| Blanton | Gafford | Marr | Smith (P) |
| Brassell | Gloor | Mathews | Snodgrass |
| Brown | Graham | Mays | Springer |
| Burgess | Grayson | McCorquodale | Starnes |
| Burgreen | Hain | McDonald | Steagall |
| Cameron | Harper | McElhaney | Stembridge |
| Cherner | Harris | McLain | Stubbs |
| Collier | Haygood | Meade | Tuck |
| Collins (C) | Headley | Meeks | Turnham |
| Collins (W) | Higginbotham | Melton | Waggoner |
| Cook (Coffee) | Hill | Merrill | Watkins |
| Cook (Jefferson) | Hobbie | Money | Weeks |
| Crane | Hogan | Neville | Williams |
| Culver | Holman | Owen (Baldwin) | Wright |
| Dill | House | Owens (W) | Yeilding |

—92

And the bill:

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pearson |
| Adwell | Dobbs | Jackson (F) | Perloff |
| Agee | Doss | Jackson (T) | Pruitt |
| Bank | Downing | Kilgore | Sessions |
| Bassett | Drake | Laxson | Shumate |
| Beck | Edington | Lemley | Slate |
| Berryman (R) | Ellis | Lybrand | Smith (C) |
| Berryman (W) | Fine | Malone | Smith (P) |
| Blanton | Foshee | Manley | Snell |
| Bolton | Gafford | Marr | Snodgrass |
| Brannan | Gloor | Mathews | Starnes |
| Brassell | Graham | Mays | Steagall |
| Brown | Grayson | McDonald | Stembridge |
| Burgess | Hain | McElhanev | Stubbs |
| Burgreen | Harper | McLain | Tuck |
| Cameron | Harris | Meade | Turnham |
| Cherner | Haygood | Meeks | Waggoner |
| Collier | Headley | Melton | Watkins |
| Collins (C) | Higginbotham | Merrill | Weeks |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Crane | Holladay | Owens (W) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |

—96

And the bill:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Burgess | Edington | Headley |
| Adwell | Burgreen | Ellis | Higginbotham |
| Agee | Cameron | Fine | Hill |
| Bassett | Collier | Foshee | Hobbie |
| Beck | Collins (C) | Gafford | Hogan |
| Berryman (R) | Collins (W) | Gloor | Holman |
| Berryman (W) | Cook (Coffee) | Graham | House |
| Blanton | Cook (Jefferson) | Grayson | Jackson (F) |
| Bolton | Culver | Hain | Jackson (T) |
| Brannan | Dobbs | Harper | Kilgore |
| Brassell | Doss | Harris | Laxson |
| Brown | Downing | Haygood | Lemley |

| | | | |
|--------------|----------------|------------|----------|
| Lybrand | Melton | Shumate | Stubbs |
| Malone | Merrill | Slate | Tuck |
| Manley | Money | Smith (C) | Turnham |
| Marr | Neville | Smith (P) | Waggoner |
| Mathews | Owen (Baldwin) | Snell | Watkins |
| Mays | Owens (W) | Snodgrass | Weeks |
| McCorquodale | Owens (W.E.) | Springer | Williams |
| McElhaney | Pearson | Starnes | Wood |
| McLain | Perloff | Steagall | Wright |
| Meade | Pruitt | Stembridge | Young |
| Meeks | Sessions | | |

—90

And the bill:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Perloff |
| Adwell | Dobbs | Jackson (F) | Pruitt |
| Agee | Doss | Jackson (T) | Sessions |
| Bank | Downing | Laxson | Shumate |
| Bassett | Edington | Lemley | Slate |
| Beck | Ellis | Lybrand | Smith (C) |
| Berryman (R) | Fine | Malone | Smith (P) |
| Berryman (W) | Foshee | Manley | Snell |
| Blanton | Gafford | Marr | Snodgrass |
| Bolton | Gloor | Mays | Starnes |
| Brannan | Graham | McCorquodale | Steagall |
| Brassell | Grayson | McElhaney | Stembridge |
| Brown | Hain | McLain | Stubbs |
| Burgess | Harper | Meade | Tuck |
| Cameron | Harris | Meeks | Turnham |
| Cherner | Haygood | Melton | Waggoner |
| Collier | Headley | Merrill | Watkins |
| Collins (C) | Higginbotham | Money | Weeks |
| Collins (W) | Hill | Neville | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hogan | Owens (W) | Wright |
| Crane | Holladay | Owens (W.E.) | Yeilding |
| Culver | Holman | Pearson | Young |

—92

And the bill:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the

compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bassett | Drake | Laxson | Sessions |
| Beck | Edington | Lemley | Shumate |
| Berryman (R) | Ellis | Lybrand | Slate |
| Berryman (W) | Fine | Malone | Smith (C) |
| Blanton | Foshee | Manley | Smith (P) |
| Bolton | Gafford | Marr | Snodgrass |
| Brannan | Gloor | Mays | Starnes |
| Brassell | Graham | McCorquodale | Steagall |
| Brown | Grayson | McElhaney | Stembridge |
| Burgess | Hain | McLain | Stubbs |
| Burgreen | Harper | Meade | Tuck |
| Cameron | Harris | Meeks | Turnham |
| Cherner | Haygood | Melton | Waggoner |
| Collier | Headley | Merrill | Watkins |
| Collins (C) | Higginbotham | Money | Weeks |
| Collins (W) | Hill | Neville | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hogan | Owens (W) | Wright |
| Crane | Holladay | Owens (W.E.) | Yeilding |
| Culver | Holman | Pearson | Young |
| Dill | House | | |

—94

And the bill:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collier | Gloor | Jackson (T) |
| Adwell | Collins (C) | Graham | Laxson |
| Agee | Collins (W) | Grayson | Lemley |
| Bank | Cook (Coffee) | Hain | Lybrand |
| Bassett | Cook (Jefferson) | Harper | Malone |
| Beck | Crane | Harris | Manley |
| Berryman (R) | Culver | Haygood | Marr |
| Berryman (W) | Dill | Headley | Mathews |
| Blanton | Dobbs | Higginbotham | Mays |
| Bolton | Doss | Hill | McCorquodale |
| Brannan | Downing | Hobbie | McDonald |
| Brassell | Edington | Hogan | McElhaney |
| Burgess | Ellis | Holladay | McLain |
| Burgreen | Fine | Holman | Meade |
| Cameron | Foshee | House | Meeks |
| Cherner | Gafford | Jackson (F) | Melton |

| | | | |
|----------------|-----------|------------|----------|
| Merrill | Perloff | Starnes | Watkins |
| Money | Pruitt | Steagall | Weeks |
| Neville | Shumate | Stembridge | Williams |
| Owen (Baldwin) | Slate | Stubbs | Wood |
| Owens (W) | Smith (C) | Tuck | Wright |
| Owens (W.E.) | Smith (P) | Turnham | Yeilding |
| Pearson | Snodgrass | Waggoner | Young |
| Pennington | | | |

—93

And the bill:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Laxson | Perloff |
| Adwell | Downing | Lemley | Pruitt |
| Agee | Edington | Lybrand | Shumate |
| Bank | Ellis | Malone | Slate |
| Bassett | Fine | Manley | Smith (C) |
| Beck | Foshee | Marr | Smith (P) |
| Berryman (R) | Gafford | Mathews | Snell |
| Berryman (W) | Gloor | Mays | Snodgrass |
| Blanton | Graham | McCorquodale | Springer |
| Brannan | Grayson | McDonald | Starnes |
| Brassell | Hain | McElhaney | Steagall |
| Brown | Harper | McLain | Stembridge |
| Burgess | Harris | Meade | Stubbs |
| Burgreen | Haygood | Meeks | Tuck |
| Cameron | Headley | Melton | Turnham |
| Cherner | Higginbotham | Merrill | Waggoner |
| Collier | Hill | Money | Watkins |
| Collins (C) | Hobbie | Neville | Weeks |
| Collins (W) | Hogan | Owen (Baldwin) | Williams |
| Cook (Coffee) | Holman | Owens (W) | Wood |
| Cook (Jefferson) | House | Owens (W.E.) | Wright |
| Crane | Jackson (F) | Pearson | Yeilding |
| Culver | Jackson (T) | Pennington | Young |
| Dobbs | | | |

—93

And the bill:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|----------|
| Mr. Speaker | Bassett | Blanton | Burgess |
| Adwell | Beck | Brannan | Burgreen |
| Agee | Berryman (R) | Brassell | Cameron |
| Bank | Berryman (W) | Brown | Cherner |

| | | | |
|------------------|--------------|----------------|------------|
| Collier | Harris | McDonald | Smith (C) |
| Collins (C) | Haygood | McElhaney | Smith (P) |
| Collins (W) | Headley | McLain | Snell |
| Cook (Coffee) | Higginbotham | Meade | Snodgrass |
| Cook (Jefferson) | Hill | Meeks | Springer |
| Crane | Hobbie | Melton | Starnes |
| Culver | Hogan | Merrill | Steagall |
| Dill | Holman | Money | Stembridge |
| Dobbs | House | Neville | Stubbs |
| Edington | Jackson (F) | Owen (Baldwin) | Tuck |
| Ellis | Jackson (T) | Owens (W) | Turnham |
| Fine | Laxson | Owens (W.E.) | Waggoner |
| Foshee | Lemley | Pearson | Watkins |
| Gafford | Lybrand | Pennington | Williams |
| Gloor | Malone | Perloff | Wood |
| Graham | Manley | Pruitt | Wright |
| Grayson | Marr | Sessions | Yeilding |
| Hain | Mathews | Shumate | Young |
| Harper | Mays | | |

—90

And the bill:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Jackson (T) | Perloff |
| Adwell | Dobbs | Laxson | Pruitt |
| Agee | Downing | Lybrand | Sessions |
| Bassett | Edington | Malone | Shumate |
| Beck | Ellis | Manley | Smith (C) |
| Berryman (R) | Fine | Marr | Smith (P) |
| Berryman (W) | Foshee | Mathews | Snell |
| Blanton | Gafford | Mays | Snodgrass |
| Brannan | Gloor | McDonald | Starnes |
| Brassell | Graham | McElhaney | Steagall |
| Brown | Grayson | McLain | Stembridge |
| Burgess | Hain | Meade | Stubbs |
| Burgreen | Harper | Meeks | Tuck |
| Cameron | Harris | Melton | Turnham |
| Cherner | Haygood | Merrill | Waggoner |
| Collier | Headley | Money | Watkins |
| Collins (C) | Higginbotham | Neville | Williams |
| Collins (W) | Hill | Owen (Baldwin) | Wood |
| Cook (Coffee) | Hobbie | Owens (W) | Wright |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Yeilding |
| Crane | Holman | Pearson | Young |
| Culver | House | Pennington | |

—87

And the bill:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Pennington |
| Adwell | Downing | Kilgore | Perloff |
| Bassett | Drake | Laxson | Pruitt |
| Beck | Edington | Lemley | Sessions |
| Berryman (R) | Ellis | Lybrand | Shumate |
| Berryman (W) | Fine | Malone | Slate |
| Blanton | Foshee | Manley | Smith (C) |
| Brannan | Gafford | Marr | Smith (P) |
| Brassell | Gloor | Mathews | Snodgrass |
| Brown | Graham | Mays | Starnes |
| Burgess | Grayson | McDonald | Steagall |
| Burgreen | Hain | McElhaney | Stembridge |
| Cameron | Harper | McLain | Stubbs |
| Cherner | Harris | Meade | Tuck |
| Collier | Haygood | Meeks | Turnham |
| Collins (C) | Headley | Merrill | Waggoner |
| Collins (W) | Higginbotham | Money | Watkins |
| Cook (Coffee) | Hill | Neville | Williams |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Crane | Hogan | Owens (W) | Wright |
| Culver | Holman | Owens (W.E.) | Yielding |
| Dill | House | Pearson | Young |
| Dobbs | Jackson (F) | | |

—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pierce:

S. J. R. 20. WHEREAS the invincible athletic forces of Sidney Lanier High School won another brilliant victory on March 11, 1967 when the Poets' basketball team clinched the State Class 4A championship by upsetting the powerful Tuscaloosa Bears to win its fourth championship in six years; and

WHEREAS Coach Bill Joiner's inspired players put on a tremendous attack and impenetrable defense in stunning a team that had suffered only one defeat during the year, and this by Montgomery's Robert E. Lee High School; and

WHEREAS Lanier's football team won decisive victories over all its opponents during the 1966 football season, and twice defeated its most powerful competitor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate the Sidney Lanier High School athletic forces and commend each member of the basketball and football teams, Coach Bill Joiner, Coach Bobby Wilson, and all assistant coaches and managers for their outstanding performances and impressive victories.

RESOLVED FURTHER That a copy of this resolution be sent to the principal of Sidney Lanier High School.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McElhaney the rules were suspended and the House concurred in and adopted the S. J. R. 20 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof

Be It Enacted by the Legislature of Alabama:

SECTION I: The boundaries of the City of Rainbow City, in Etowah County, Alabama, are hereby altered rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included in the present corporate limits of such City, the following described territory:

To describe an addition to the Town of Rainbow City, Alabama; begin at the N. W. corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 31, Township 12 South, Range 6 East; thence run South along the West line of said forty to the S. E. corner thereof; Thence run East and along the South line of said Section 31 to the Southeast corner of said section; Thence run South and along the Westerly line of Section 5, lying North or West of Coosa River, Township 13 South, Range 6 East; to the Northwesterly bank of said Coosa River; Thence run Northeasterly and along the said bank of Coosa River to the Westerly right-of-way line of State Highway No. 77; Thence run Northwesterly and along the right-of-way line of said Highway line of said Highway to the intersection with the North line of the SW $\frac{1}{4}$ —NE $\frac{1}{4}$, Section 32, Township 12 South, Range 6 East; Thence run West and along the North line of the SW $\frac{1}{4}$ —NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ —NW $\frac{1}{4}$ of said Section 32 to the N. W. corner of said forty; Thence run South to the S. E. corner of the SE $\frac{1}{4}$ —NW $\frac{1}{4}$ in said Section 32; Thence run West to the S. W. corner of the NW $\frac{1}{4}$ —SW $\frac{1}{4}$ in said Section 32; Thence run South to the S. W. corner of the NW $\frac{1}{4}$ —SW $\frac{1}{4}$ in said Section 32; Thence run West and along the North line of the SE $\frac{1}{4}$ —SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ —SE $\frac{1}{4}$ to the point of beginning. Containing all of the following forties, SW $\frac{1}{4}$ —SE $\frac{1}{4}$ and SE $\frac{1}{4}$ —SE $\frac{1}{4}$, Section 31, Township 12, South, Range 6 East; all of the SW quarter (160 acres) and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32, Township 12, Range 6 East; Portions of the following forties, SW $\frac{1}{4}$ —NE $\frac{1}{4}$, NW $\frac{1}{4}$ —SE $\frac{1}{4}$, SW $\frac{1}{4}$ —SE $\frac{1}{4}$, and East part of the S. E. part of Section 32 West or North of the Coosa River, Township 12 South, Range 6 East and all of the Fractional Section 5, Township 13 South, Range 6 East, lying West or North of the Coosa River.

SECTION II: This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said a fidavit notice of the a bill to be enacted which notice was printed in The Gadsden Times in its regularly circulated editions on Mar. 5, 12-19, and 26 1966, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 19 day of Jan., 1967.

I. B. SCRUGGS,

Subscribed and sworn to before me on this the 19 day of Jan., 1967.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Mr. McCarley:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Prattville and the County of Autauga are hereby authorized, jointly and severally, to create and establish, maintain and operate an ambulance service to promote the health, welfare and safety of residents of the county and city and of citizens and others traveling within the county. Toward this end the city and county may

appropriate public funds, employ such personnel, and purchase and maintain such equipment and other facilities as may be needed for such purpose.

Section 2. The governing body of the city and of the county may by ordinance provide for operation of the ambulance service herein authorized, and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 30, Feb. 2, Feb. 9, and Feb. 16, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

My commission expires Dec. 9, 70.

Also:

By Mr. Skidmore:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Be It Enacted by the Legislature of Alabama:

Section 1. In the sixth judicial circuit of Alabama each judge in such circuit who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 14, Feb. 21, Feb. 28, and March 7, all in the year 1967.

BUFORD BOONE.

Sworn to and subscribed before me March 10, 1967.

LILLA COLLINS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 4. Local Legislation No. 1.
- S. 42. Local Legislation No. 1.
- S. 79. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 9. Creating the "TECUMSEH Committee" to investigate the proposed raising of the warship Tecumseh.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Edington the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 9, said Senate amendment being as follows:

AMENDMENT TO H. J. R. 9

Amend H. J. R. 9 by deleting the last sentence therefrom.

Yeas 90; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Perloff |
| Adwell | Doss | Kilgore | Pruitt |
| Agee | Downing | Laxson | Sessions |
| Bank | Edington | Lemley | Shumate |
| Bassett | Ellis | Lybrand | Slate |
| Beck | Fine | Malone | Smith (C) |
| Berryman (R) | Foshee | Manley | Smith (P) |
| Berryman (W) | Gafford | Marr | Snell |
| Blanton | Garrett | Mays | Snodgrass |
| Bowers | Gloor | McCorquodale | Springer |
| Brannan | Graham | McElhane | Starnes |
| Brassell | Grayson | McLain | Steagall |
| Burgess | Hain | Meade | Stembridge |
| Burgreen | Harper | Meeks | Stubbs |
| Cherner | Harris | Melton | Tuck |
| Collier | Haygood | Merrill | Turnham |
| Collins (C) | Headley | Money | Waggoner |
| Collins (W) | Higginbotham | Neville | Williams |
| Cook (Coffee) | Hill | Owens (W) | Wood |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | Wright |
| Crane | Hogan | Pearson | Yelding |
| Culver | Holman | Pennington | Young |
| Dill | House | | |

—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Albea:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate bill, S. 91, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Pierce and Goodwyn:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 87. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Adams:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be filed with the Legislature of Alabama at its next session following the publication of this notice as required by law for the passage of a local act as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Be It Enacted by the Legislature of Alabama:

Section 1. That pursuant to petition of the Board of Commissioners of the City of Dothan and the concurrence of the Pension Board of the retirement system of said city, City Employee N. N. Newsome is hereby credited for employment by said City continuously since the 2nd day of February, 1937, for retirement purposes.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Nov. 29; Dec. 6, 13, 19, 1966.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: November 29, December 6, 13, 19, 1966 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL COSBY.

Sworn to and subscribed before me on this 21 day of December, 1966.

B. WALLACE MILLER,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 90. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Giles:

S. J. R. 27. WHEREAS, the City of Huntsville Board of Education wishes to honor one of its present members, Mr. Milton Frank, who has served his community unselfishly and in many ways over the years of his residence in the City; and

WHEREAS, Mr. Frank has served the Huntsville City School System faithfully as coach, teacher, and board member, and has promoted the highest caliber of athletics, physical fitness and good sportsmanship

throughout the Huntsville schools, as well as in the community as a whole; and

WHEREAS the present football stadium used by the Huntsville City High Schools, which exists largely because of Mr. Frank's efforts, has never been properly and suitably named to reflect its community-wide character; and

WHEREAS, the Huntsville City Board of Education, wanting to name the aforesaid stadium in honor of Mr. Frank, has requested legislative authority for such action; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the football stadium used by Huntsville City High Schools shall be named, designated and known as the Milton Frank Stadium, and the Huntsville City Board of Education may erect at the stadium appropriate signs, plaques, and markers indicating its official name.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor, or as otherwise provided by Article 5, Section 125 of the Constitution of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pennington the rules were suspended and the House concurred in and adopted the S. J. R. 27 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Also:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Also:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Also:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Also:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Also:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Also:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Also:

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Also:

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Also:

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Also:

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Also:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Also:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Also:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Also:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Also:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Also:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Also:

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Also:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the City of Fort Payne, in DeKalb County, Alabama.

Also:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Also:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Also:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Also:

H. 21. Relating to Blount County: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Also:

H. 22. Relating to Blount County, authorizing and directing the governing body of said County to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other Deputies provided by law.

Also:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the bill, H. 98, said Senate amendment being as follows:

AMENDMENT TO H. B. 98

Amend H. B. 98 by striking therefrom Section 3 of said bill and adding in lieu thereof the following:

"Section 3. Provided, however, that any resident of this County may set such steel trap or similar device on real estate owned by him and may also grant written permission to any person or persons to trap on said land as the owner may designate in writing from year to year."

Yeas 77; Nays 0.

Yeas:

| | | | |
|--------------|--------------|------------------|---------|
| Mr. Speaker | Berryman (W) | Burgreen | Culver |
| Adwell | Blanton | Cameron | Dill |
| Agee | Bowers | Collins (C) | Dobbs |
| Bassett | Brannan | Collins (W) | Doss |
| Beck | Brassell | Cook (Jefferson) | Downing |
| Berryman (R) | Brown | Crane | Ellis |

| | | | |
|--------------|--------------|----------------|-----------|
| Foshee | Jackson (F) | Melton | Snell |
| Gafford | Jackson (T) | Merrill | Snodgrass |
| Gloor | Kilgore | Money | Springer |
| Graham | Laxson | Neville | Starnes |
| Hain | Lemley | Owen (Baldwin) | Steagall |
| Harper | Malone | Owens (W) | Stubbs |
| Harris | Manley | Owens (W.E.) | Tuck |
| Haygood | Marr | Pearson | Waggoner |
| Headley | Mays | Perloff | Williams |
| Higginbotham | McCorquodale | Pruitt | Wood |
| Hill | McElhaney | Sessions | Wright |
| Hobbie | McLain | Slate | Yeilding |
| Hogan | Meeks | Smith (C) | Young |
| Holman | | | |

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

McDOWELL, LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate the House concurred in and adopted the Senate amendment to the bill, H. 114, said Senate amendment being as follows:

Amendment to H. B. 114

Strike out section 1 of the bill and insert the following in lieu thereof:

Section 1. All school lunchroom managers, assistants and workers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Walker County shall each be paid not less than seven dollars (\$7) per day or part of each day actually engaged in the performance of their duties.

Yeas 81; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Collins (W) | Gloor | Malone |
| Adwell | Cook (Jefferson) | Grayson | Manley |
| Agee | Crane | Hain | Marr |
| Bassett | Culver | Harris | Mays |
| Berryman (R) | Dill | Haygood | McCorquodale |
| Berryman (W) | Dobbs | Headley | McElhaney |
| Bowers | Doss | Higginbotham | McLain |
| Brannan | Downing | Hill | Meade |
| Brassell | Edington | Hobbie | Meeks |
| Brown | Ellis | Hogan | Melton |
| Burgess | Fine | Jackson (F) | Merrill |
| Cameron | Foshee | Jackson (T) | Money |
| Collier | Gafford | Laxson | Neville |
| Collins (C) | Garrett | Lemley | Owen (Baldwin) |

| | | | |
|--------------|-----------|------------|----------|
| Owens (W) | Shumate | Springer | Waggoner |
| Owens (W.E.) | Slate | Starnes | Williams |
| Pearson | Smith (C) | Steagall | Wood |
| Pennington | Smith (P) | Stembridge | Wright |
| Perloff | Snell | Stubbs | Yeilding |
| Pruitt | Snodgrass | Tuck | Young |
| Sessions | | | |

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 38. Relating to Dale County; providing for the time of closing county offices.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate the House concurred in and adopted the Senate amendment to the bill, H. 38, said Senate amendment being as follows:

Amendment to H. B. 38 by Committee on Local Legislation No. 1

H. B. 38 is amended by adding at the end of Section 1 thereof the following sentence: "The provisions of this section shall not apply to the County Department of Pensions and Security."

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | House | Owens (W.E.) |
| Adwell | Doss | Jackson (F) | Pearson |
| Agee | Downing | Jackson (T) | Pennington |
| Bassett | Edington | Kilgore | Perloff |
| Berryman (R) | Ellis | Laxson | Pruitt |
| Berryman (W) | Fine | Lemley | Sessions |
| Bowers | Foshee | Lybrand | Shumate |
| Brannan | Gafford | Malone | Slate |
| Brassell | Garrett | Manley | Smith (C) |
| Brown | Gloor | Marr | Smith (P) |
| Burgess | Graham | Mays | Snodgrass |
| Burgreen | Grayson | McCorquodale | Springer |
| Cameron | Hain | McElhaney | Starnes |
| Cherner | Harris | McLain | Steagall |
| Collier | Haygood | Meeks | Stubbs |
| Collins (W) | Headley | Melton | Waggoner |
| Cook (Coffee) | Higginbotham | Merrill | Williams |
| Cook (Jefferson) | Hill | Money | Wright |
| Crane | Hobbie | Neville | Yeilding |
| Culver | Hogan | Owen (Baldwin) | Young |
| Dill | Holman | Owens (W) | |

—83

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 16. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, March 15; and when they adjourn on Wednesday, March 15, they adjourn to meet again on Thursday, March 16.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 16 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 24. Commending Dr. Houston Cole, President of Jacksonville State University, and proclaiming "Houston Cole Day".

Also:

H. J. R. 23. Designating the new science building at Jacksonville State University "Martin Hall" in honor of Honorable J. Thomas Martin, Jr.

Also:

H. J. R. 26. Mourning the death of Honorable John Glenn Stanley, newspaper editor of Greenville, Alabama.

Also:

H. J. R. 14. Mourning the death of Honorable Carlos Nelson of Limestone County.

Also:

H. J. R. 22. Memorializing the Postmaster General of the United States to issue a postage stamp commemorating the 150th anniversary of the Alabama Territory.

Also:

H. J. R. 17. Naming the South Women's Dormitory Dining Hall at Auburn University the "Leila Avery Terrell Hall".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 38. Mourning the death of Honorable Richard Murray, of Mobile, Alabama.

Also:

H. J. R. 43. Extending sympathy to the family of Honorable Clyde McRae, of Decatur, Alabama.

Also:

H. J. R. 42. Mourning the death of Honorable Ewell K. Gregg, of Morgan County, Alabama.

Also:

H. J. R. 41. Extending sympathy to the families of the five teenagers whose lives were tragically taken in an accident in Tuscaloosa County.

Also:

H. J. R. 40. Creating a legislative committee to study the feasibility of purchasing a new limousine for the official use of the Governor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 16. Renaming the State Trade School located at Opp as the Douglas McArthur State Technical Institute.

Also:

H. J. R. 25. Mourning the untimely death of Honorable Charles M. Pinkston of Montgomery County.

Also:

H. J. R. 32. Naming the Tuscaloosa County Public Lake, northwest of the City of Tuscaloosa "Lake Lurleen".

Also:

H. J. R. 31. Extending sympathy to the family of Mrs. Rose Doane, victim of the Dale's Penthouse Fire, and endorsing her nomination for the award of the Carnegie Medal.

Also:

H. J. R. 30. Commending the courage and heroism of Jessie Williams in the Dale's Penthouse Fire, and endorsing his nomination for the award of the Carnegie Medal.

Also:

H. J. R. 33. Proclaiming the week of March 19-25 Vocational Education Week.

Also:

H. J. R. 34. Naming the music hall at the Alabama School for the Blind in Talladega the "Eugene B. Landreth Music Hall".

Also:

H. J. R. 36. Congratulating Satilla Virginia Lady, National Bird Dog Champion of 1967.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 18. Mourning the death of Honorable Walter D. Newman, distinguished citizen of Guntersville.

Also:

H. J. R. 19. Mourning the death of Roosevelt Williams, outstanding Negro citizen of Guntersville.

Also:

H. J. R. 20. Extending sympathy to the family of Honorable Tom McCord in their recent loss.

Also:

H. J. R. 8. Relative to the release of Federal Highway funds to the State of Alabama.

Also:

H. J. R. 11. Expressing the opposition of the Legislature to any increase in postal rates for first class mail.

Also:

H. J. R. 10. Mourning the death of Honorable Owen Downing, brother of Representative Downing from Mobile.

Also:

H. J. R. 15. Commending Dr. Gilbert E. Fisher of Union Springs, Alabama on his outstanding medical career in the field of leprosy.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Vacca:

S. J. R. 13. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a committee to meet during the interim between the effective date of this resolution and the opening day of the regular session of the Legislature in May following. It shall be the duty of this committee to study the federal Highway Safety Act of 1966 and its impact on Alabama, with a view toward determining what legislative action, if any, is needed to enable Alabama to avail itself of any advantages that may accrue to a state

under such act, and to put this state in such a position that it will not incur any penalties under such act because of a lack of statutory authority by the proper official or officials of the state and of its political subdivisions to take requested or desired action. It shall also determine what, if any, provisions of such act so adversely affect Alabama as to warrant memorializing Congress to amend, repeal or implement such provisions. The Committee shall make a report of its findings, conclusions and recommendations to the two houses not later than the fifth legislative day of the regular session; whereupon the committee shall be dissolved. The committee shall be composed of three Senators, appointed by the President of the Senate, and two members of the House of Representatives appointed by the Speaker. The members of the committee shall elect a chairman and a vice-chairman from among their number. The first meeting of the committee shall be held at such time and place as designated by the President of the Senate; thereafter the committee shall meet on the call of the chairman.

BE IT FURTHER RESOLVED That members of the committee shall not be entitled to receive their regular legislative compensation for performance of their duties hereunder.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor as provided in Article 5, Section 125 of the Constitution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bowers the rules were suspended and the House concurred in and adopted the S. J. R. 13 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lindsey and Stone:

S. J. R. 26. **BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING**, That we note with profound regret the untimely death of J. Ben Steed, native of Cherokee County and outstanding civic and business leader, whose death has brought sorrow to his family and to his many friends, not only in Butler and Centre, Alabama, but over the state as well; and

WHEREAS, J. Ben Steed was prominent all of his life in banking circles, serving as Vice President of the Farmers and Merchants Bank in Centre and, more recently, as President of the First National Bank of Butler, Alabama. He was awarded the honor of Jaycee Young Man of the Year while in Centre and served as past Commander of the American Legion; was active in other business and social activities. His passing is deeply mourned and the sincere sympathy of the members of the Legislature is extended to his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the family of J. Ben Steed.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bowers the rules were suspended and the House concurred in and adopted the S. J. R. 26 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs: Morrow, Bailes, Hawkins, Dominick, Childs, Gilmore and Vacca:

S. J. R. 23. WHEREAS Benny Marshall, scintillating sports editor of the Birmingham News has been proclaimed the winner of the National Headliners Club award for his consistently outstanding sports columns covering a wide range of sports subjects; and

WHEREAS Mr. Marshall has been long recognized not only for the accuracy and dependability of his most informative column, but also for his clear and succinct manner of analysing his material and prognosticating future events in the sports world; and

WHEREAS Mr. Marshall began his sports writing career in 1935 when he was a fourteen year old freshman at Howard College (now Samford University), was subsequently a staff writer for the Birmingham Age-Herald, and later for the Birmingham News during which time he accumulated eleven Associated Press firsts, including one sweepstakes award for the best written story of any kind submitted that year, and has written a best seller entitled Winning Isn't Everything; and

WHEREAS Mr. Marshall is to be honored at Atlantic City the week of March 31—April 1 during the annual awards program of the National Headliners Club, an organization of his peers; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Mr. Marshall upon the excellence of his writings, and extend to him our heartiest congratulations upon his receiving this latest award which he so richly deserves.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Marshall and to the National Headliners Club.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bowers the rules were suspended and the House concurred in and adopted the S. J. R. 23 set out in the above and foregoing Message from the Senate.

H. 84 TEMPORARILY POSTPONED

On motion of Mr. Cook (Jefferson), consideration of the bill, H. 84, was temporarily postponed.

Yeas 85; Nays 7.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Culver | Holman | Pearson |
| Adwell | Dill | House | Pennington |
| Bank | Doss | Jackson (F) | Perloff |
| Bassett | Downing | Jackson (T) | Pruitt |
| Beck | Drake | Kilgore | Sessions |
| Berryman (R) | Edington | Lemley | Slate |
| Berryman (W) | Ellis | Lybrand | Smith (C) |
| Blanton | Foshee | Malone | Smith (P) |
| Bolton | Gafford | Marr | Snell |
| Bowers | Gloor | Mathews | Snodgrass |
| Brannan | Graham | Mays | Springer |
| Brassell | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgreen | Harper | McElhaney | Thomas |
| Cameron | Harris | McLain | Waggoner |
| Cherner | Haygood | Meade | Watkins |
| Collier | Headley | Meeks | Williams |
| Collins (C) | Higginbotham | Merrill | Wood |
| Collins (W) | Hill | Money | Wright |
| Cook (Coffee) | Hobbie | Neville | Yeilding |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Young |
| Crane | Holladay | | |

—85

Nays:

| | | | |
|-------------|--------|----------------|------|
| Mr. Speaker | Manley | Owen (Baldwin) | Tuck |
| Garrett | Melton | Stubbs | |

—7

H. 83 TEMPORARILY POSTPONED

Mr. Cook (Jefferson) moved to temporarily postpone consideration of the bill, H. 83.

The substitute motion of Mr. Owen to re-refer the bill, H. 83, from the Standing Committee on State Administration to the Standing Committee on Ways and Means, in accordance with House Rule 46, was ruled out of order by the Speaker.

The question was then on the motion of Mr. Cook (Jefferson) that consideration of the bill, H. 83, be temporarily postponed and said motion was adopted.

Yeas 76; Nays 11.

Yeas:

| | | | |
|----------|------------------|-------------|--------------|
| Messrs.: | Collins (C) | Graham | Lybrand |
| Adwell | Collins (W) | Hain | Malone |
| Bank | Cook (Coffee) | Harris | Marr |
| Beck | Cook (Jefferson) | Haygood | Mathews |
| Blanton | Crane | Headley | Mays |
| Bolton | Culver | Hill | McDonald |
| Bowers | Dill | Hobbie | McElhaney |
| Brassell | Doss | Hogan | McLain |
| Brown | Downing | Holladay | Meeks |
| Burgess | Drake | Holman | Merrill |
| Burgreen | Edington | House | Money |
| Cameron | Ellis | Jackson (T) | Neville |
| Cherner | Gafford | Kilgore | Owens (W.E.) |
| Collier | Gloor | Laxson | Pearson |

| | | | |
|------------|-----------|----------|----------|
| Pennington | Smith (P) | Steagall | Williams |
| Perloff | Snell | Thomas | Wood |
| Pruitt | Snodgrass | Waggoner | Wright |
| Sessions | Springer | Watkins | Yeilding |
| Slate | Starnes | Weeks | Young |
| Smith (C) | | | —76 |

Nays:

| | | | |
|--------------|---------|--------|---------|
| Mr. Speaker | Fine | Meade | Tuck |
| Agee | Garrett | Melton | Turnham |
| Berryman (W) | Manley | Stubbs | —11 |

UNANIMOUS CONSENT GRANTED

Mr. Dobbs requested unanimous consent to have his name removed as a co-author of the bills, H. 82 and H. 83, and it was so granted.

MOTION TO RE-REFER H. 82 TABLED

On motion of Mr. Cook (Jefferson), the motion of Mr. Owen to re-refer the bill, H. 82, from the Standing Committee on State Administration to the Standing Committee on Ways and Means in accordance with House Rule 46, was laid upon the table.

Yeas 72; Nays 24.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Dill | House | Perloff |
| Adwell | Dobbs | Jackson (T) | Pruitt |
| Bank | Doss | Kilgore | Sessions |
| Beck | Downing | Laxson | Smith (P) |
| Blanton | Drake | Lybrand | Snell |
| Bowers | Edington | Malone | Snodgrass |
| Brassell | Ellis | Marr | Springer |
| Brown | Gafford | Mathews | Starnes |
| Burgess | Gloor | McDonald | Steagall |
| Burgreen | Grayson | McElhaney | Thomas |
| Cameron | Hain | McLain | Waggoner |
| Cherner | Harris | Meeks | Watkins |
| Collier | Haygood | Merrill | Weeks |
| Collins (C) | Headley | Money | Williams |
| Collins (W) | Hill | Neville | Wood |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Wright |
| Cook (Jefferson) | Hogan | Pearson | Yeilding |
| Crane | Holman | Pennington | Young |
| Culver | | | —72 |

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Manley | Shumate |
| Agee | Garrett | Mays | Smith (C) |
| Bassett | Graham | McCorquodale | Stembridge |
| Berryman (W) | Higginbotham | Meade | Stubbs |
| Bolton | Holladay | Melton | Tuck |
| Brannan | Lemley | Owen (Baldwin) | Turnham |
| | | | —24 |

BILLS ON THIRD READING RESUMED

H. 82 (with amendments). To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial

aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on State Administration, said committee amendments being as follows:

**STATE ADMINISTRATION COMMITTEE
AMENDMENT NO. 1 TO H. 82**

Amend the first sentence of Section 647, subsection (c), by inserting after the word "collection" the words "and less the necessary amount of said revenue to make refunds of tax paid on gasoline used in farm tractors, authorized by Act No. 743, Acts of Alabama 1957, and refunds of tax paid on gasoline used in motor vehicles operating in interstate commerce as authorized by Act 674, Acts of Alabama 1961, as amended by Act No. 750, Acts of Alabama 1965".

**MOTION TO POSTPONE H. 82 AND PENDING
AMENDMENTS TABLED**

On motion of Mr. Cook (Jefferson), the motion of Mr. Owen to postpone further consideration of the bill, H. 82, and all pending amendments, until the seventeenth legislative day, was laid upon the table.

Yeas 67; Nays 29.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Dill | Jackson (T) | Perloff |
| Beck | Downing | Kilgore | Pruitt |
| Blanton | Drake | Laxson | Sessions |
| Bolton | Edington | Lybrand | Slate |
| Bowers | Ellis | Malone | Smith (P) |
| Brassell | Gafford | Marr | Snell |
| Brown | Gloor | Mathews | Snodgrass |
| Burgreen | Grayson | McDonald | Springer |
| Cameron | Hain | McElhaney | Steagall |
| Cherner | Harper | McLain | Thomas |
| Collier | Harris | Meeks | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Hill | Money | Weeks |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Wright |
| Crane | Holman | Pearson | Yeilding |

—67

Nays:

| | | | |
|--------------|--------------|----------------|-----------|
| Mr. Speaker | Fine | Lemley | Shumate |
| Agee | Foshee | Manley | Smith (C) |
| Bassett | Garrett | Mays | Starnes |
| Berryman (R) | Graham | McCorquodale | Stubbs |
| Berryman (W) | Higginbotham | Meade | Tuck |
| Brannan | Holladay | Melton | Turnham |
| Burgess | Jackson (F) | Owen (Baldwin) | Young |
| Dobbs | | | |

—29

FURTHER CONSIDERATION OF H. 82 AND PENDING AMENDMENTS

And the bill:

H. 82 (with amendments). To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

Was again taken up.

The question was on the adoption of the Amendment No. 1, reported by the Standing Committee on State Administration, heretofore set out, and the amendment was adopted.

Yeas 83; Nays 13.

Yeas:

| | | | |
|------------------|----------|--------------|--------------|
| Messrs.: | Dill | Holman | Owens (W.E.) |
| Adwell | Dobbs | House | Pearson |
| Bank | Doss | Jackson (F) | Pennington |
| Bassett | Downing | Jackson (T) | Perloff |
| Beck | Drake | Kilgore | Pruitt |
| Berryman (R) | Edington | Laxson | Sessions |
| Blanton | Ellis | Lemley | Slate |
| Bolton | Foshee | Lybrand | Smith (P) |
| Bowers | Gafford | Malone | Snell |
| Brannan | Gloom | Marr | Snodgrass |
| Brassell | Graham | Mathews | Springer |
| Burgreen | Grayson | McCorquodale | Starnes |
| Cameron | Hain | McDonald | Steagall |
| Cherner | Harper | McElhaney | Thomas |
| Collier | Harris | McLain | Waggoner |
| Collins (C) | Haygood | Meeks | Watkins |
| Collins (W) | Headley | Melton | Weeks |
| Cook (Coffee) | Hill | Merrill | Williams |
| Cook (Jefferson) | Hobbie | Money | Wood |
| Crane | Hogan | Neville | Wright |
| Culver | Holladay | Owens (W) | Yeilding |

—83

Nays:

| | | | |
|--------------|---------|-----------|---------|
| Mr. Speaker | Garrett | Shumate | Tuck |
| Agee | Mays | Smith (C) | Turnham |
| Berryman (W) | Meade | Stubbs | Young |
| Fine | | | |

—13

And

STATE ADMINISTRATION COMMITTEE AMENDMENT NO. 2 TO H. 82

Amend the second sentence of Section 647, subsection (a), by substituting the words "a commercial air carrier" for the words "an air carrier".

And the amendment was adopted.

Yeas 87; Nays 7.

Yeas:

| | | | |
|------------------|----------|--------------|--------------|
| Messrs.: | Culver | House | Owens (W.E.) |
| Adwell | Dill | Jackson (F) | Pearson |
| Bassett | Doss | Jackson (T) | Pennington |
| Beck | Downing | Kilgore | Perloff |
| Berryman (R) | Drake | Laxson | Pruitt |
| Berryman (W) | Edington | Lemley | Sessions |
| Blanton | Ellis | Lybrand | Slate |
| Bolton | Foshee | Malone | Smith (P) |
| Bowers | Gafford | Marr | Snell |
| Brannan | Gloor | Mathews | Snodgrass |
| Brassell | Graham | Mays | Springer |
| Brown | Grayson | McCorquodale | Starnes |
| Burgess | Hain | McDonald | Steagall |
| Burgreen | Harper | McElhaney | Stubbs |
| Cameron | Harris | McLain | Thomas |
| Cherner | Haygood | Meade | Waggoner |
| Collier | Headley | Meeks | Watkins |
| Collins (C) | Hill | Melton | Weeks |
| Collins (W) | Hobbie | Merrill | Williams |
| Cook (Coffee) | Hogan | Money | Wood |
| Cook (Jefferson) | Holladay | Neville | Wright |
| Crane | Holman | Owens (W) | Yeilding |

—87

Nays:

| | | | |
|----------|---------|-----------|---------|
| Messrs.: | Garrett | Smith (C) | Turnham |
| Agee | Manley | Tuck | Young |

—7

And

STATE ADMINISTRATION COMMITTEE AMENDMENT NO. 3 TO H. 82

Amend the first sentence of Section 647, subsection (b), by substituting the words "commercial air carriers" for the words "air carriers".

And the amendment was adopted.

Yeas 84; Nays 8.

Yeas:

| | | | |
|---------------|------------------|--------------|--------------|
| Messrs.: | Cook (Jefferson) | Headley | Mays |
| Adwell | Crane | Higginbotham | McDonald |
| Bassett | Culver | Hill | McElhaney |
| Beck | Dill | Hobbie | McLain |
| Berryman (R) | Doss | Hogan | Meade |
| Blanton | Downing | Holladay | Meeks |
| Bolton | Drake | Holman | Melton |
| Bowers | Edington | House | Merrill |
| Brannan | Ellis | Jackson (F) | Money |
| Brassell | Foshee | Jackson (T) | Neville |
| Burgreen | Gafford | Kilgore | Owens (W) |
| Cameron | Gloor | Laxson | Owens (W.E.) |
| Cherner | Graham | Lemley | Pearson |
| Collier | Grayson | Lybrand | Pennington |
| Collins (C) | Hain | Malone | Perloff |
| Collins (W) | Harris | Marr | Pruitt |
| Cook (Coffee) | Haygood | Mathews | Sessions |

| | | | |
|-----------|----------|----------|----------|
| Slate | Starnes | Waggoner | Wood |
| Smith (P) | Steagall | Watkins | Wright |
| Snell | Stubbs | Weeks | Yeilding |
| Snodgrass | Thomas | Williams | Young |
| Springer | | | |

—84

Nays:

| | | | |
|-------------|---------|-----------|---------|
| Mr. Speaker | Burgess | Shumate | Tuck |
| Agee | Garrett | Smith (C) | Turnham |

—8

MOTION TABLED

On motion of Mr. Cook (Jefferson), the motion of Mr. Owen to postpone further consideration of the bill, H. 82, as amended, and pending amendment, until the sixteenth legislative day without losing its place on the calendar, was laid upon the table.

Yeas 64; Nays 34.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Doss | House | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Bank | Drake | Kilgore | Pruitt |
| Beck | Edington | Laxson | Sessions |
| Blanton | Ellis | Lybrand | Smith (P) |
| Bowers | Gafford | Malone | Snell |
| Brassell | Gloor | Marr | Snodgrass |
| Burgreen | Grayson | Mathews | Springer |
| Cameron | Hain | McDonald | Steagall |
| Cherner | Harris | McElhaney | Thomas |
| Collins (C) | Haygood | McLain | Waggoner |
| Collins (W) | Headley | Meeks | Watkins |
| Cook (Coffee) | Higginbotham | Merrill | Weeks |
| Cook (Jefferson) | Hill | Money | Wood |
| Crane | Hogan | Neville | Wright |
| Culver | Holman | Owens (W.E.) | Yeilding |
| Dill | | | |

—64

Nays:

| | | | |
|--------------|-------------|----------------|-----------|
| Mr. Speaker | Fine | Manley | Shumate |
| Agee | Foshee | Mays | Slate |
| Bassett | Garrett | McCorquodale | Smith (C) |
| Berryman (R) | Graham | Meade | Starnes |
| Berryman (W) | Harper | Melton | Stubbs |
| Bolton | Hobbie | Owen (Baldwin) | Tuck |
| Brannan | Holladay | Owens (W) | Turnham |
| Burgess | Jackson (F) | Pearson | Young |
| Dobbs | Lemley | | |

—34

FURTHER CONSIDERATION OF H. 82, AS AMENDED,
AND PENDING AMENDMENT

H. 82. To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

As amended, was again taken up.

The question was upon the adoption of Amendment No. 4 reported by the Standing Committee on State Administration, said committee amendment being as follows:

STATE ADMINISTRATION COMMITTEE AMENDMENT NO. 4 TO H. 82

Amend the first sentence of Section 647, subsection (a), by substituting the words "a commercial air carrier engaged primarily in the for hire transportation of persons or goods on regularly scheduled flights" for the words "an air carrier, as such word is defined in the Alabama Air Commerce Act (Acts 1945, p. 432)".

And the amendment was adopted.

Yeas 83; Nays 12.

Yeas:

| | | | |
|------------------|--------------|--------------|--------------|
| Messrs.: | Dill | Holman | Owens (W.E.) |
| Adwell | Doss | House | Pearson |
| Bank | Downing | Jackson (F) | Pennington |
| Bassett | Drake | Jackson (T) | Perloff |
| Beck | Edington | Kilgore | Pruitt |
| Berryman (R) | Ellis | Laxson | Sessions |
| Blanton | Foshee | Lybrand | Smith (P) |
| Bolton | Gafford | Malone | Snell |
| Bowers | Gloor | Marr | Snodgrass |
| Brannan | Graham | Mathews | Springer |
| Brassell | Grayson | Mays | Starnes |
| Burgreen | Hain | McCorquodale | Steagall |
| Cameron | Harper | McDonald | Stubbs |
| Cherner | Harris | McElhaney | Thomas |
| Collier | Haygood | McLain | Waggoner |
| Collins (C) | Headley | Meeks | Watkins |
| Collins (W) | Higginbotham | Melton | Weeks |
| Cook (Coffee) | Hill | Merrill | Williams |
| Cook (Jefferson) | Hobbie | Money | Wood |
| Crane | Hogan | Neville | Wright |
| Culver | Holladay | Owens (W) | Yeilding |

—83

Nays:

| | | | |
|--------------|---------|---------|---------|
| Mr. Speaker | Burgess | Garrett | Tuck |
| Agee | Dobbs | Manley | Turnham |
| Berryman (W) | Fine | Shumate | Young |

—12

RULING DECLINED

The Speaker respectfully declined to rule on the request of Mr. Garrett questioning whether the bill, H. 82, was designated in the Governor's proclamation calling the present special session of the legislature.

FURTHER CONSIDERATION OF H. 82, AS AMENDED

H. 82. To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such

tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

As amended, was again taken up.

Mr. Pennington offered the following substitute for the bill, H. 82, as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 51, section 647, as amended, Code of Alabama 1940, is further amended to read as follows:

Section 647. Excise tax levied; use of the net proceeds thereof and method of allocation and distribution; distributor, dealer, etc., to add tax to price.—(a) Every distributor, refiner, retail dealer, storer, or user of gasoline shall collect and pay over to the state department of revenue an excise tax of seven cents per gallon upon the sellings, use or consumption, distributing, storing or withdrawing from storage in this state for any use, gasoline as defined or otherwise referred to in article 5 of Title 51, Code of Alabama 1940, and as amended, except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) below; provided, that where any excise tax imposed by this section upon the sale, use or consumption, distribution, storage, withdrawal from storage in this state of such gasoline shall have been paid to the state by a distributor, refiner, or by any retail dealer, storer, or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once. (b) The state department of revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department for use by the United States in purchasing gasoline or other fuels taxed by this Act within the state of Alabama and which is paid for by the United States. Any person in reporting and paying the tax to the department may deduct the number of gallons of gasoline or other fuels taxed by this Act sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report; and the department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates. (c) The revenue, less the cost of collection and all refunds authorized by law, obtained from the seven cents excise tax on gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines, as is provided for in this section, shall not be used for any purposes other than the following, namely: (1) The legislature hereby finds as a fact that of all the gasoline sold in this state not less than thirty-five one hundredths of one per cent thereof is used for marine purposes to propel vessels on inland and coastal waterways of this state. The legislature hereby declares that it is the policy of this state to use the funds derived from the sale of marine gasoline to improve boating and boating facilities, seafoods, and salt water sports fishing in this state. Effective on the first day of the month following

the passage and approval of this act thirty-five one hundredths of one per cent of all state imposed taxes collected on the sale of gasoline (except gasoline and other fuels consumed in airplanes) shall be credited as follows: Sixty per cent to the state water safety fund of the water safety division and forty per cent to the seafood fund of the seafood division. (2) The revenue arising from the sale of gasoline as herein defined, (except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) below) for all other purposes shall not be used for any purpose other than for the construction, improvement, maintenance and supervision of highways, bridges and streets, including the retirement of bonds for the payment of which such revenues have been or may hereafter be pledged. The payment of the per diem and mileage of members of county governing bodies when engaged in supervising the construction, improvement and maintenance of highways, bridges and streets, shall be construed as used in supervision. However, the governing body of each county is authorized to expend an amount not to exceed one third of the total amount of such revenue that may be received by such county in the payment of any debt that may have been incurred by such county for the construction or maintenance of roads or bridges. This fund shall be allocated in the manner now provided by law. On the 20th day of each month following that quarter of any fiscal year, all revenue derived from the sale of gasoline to be consumed in the motor of a boat or vessel as defined in (1) above shall be allocated to the "state water safety fund" and "seafoods fund". (d)(1) Every distributor, refiner, retail dealer, storer or user of gasoline or any substitute or device therefor sold for use as a fuel to propel aircraft shall collect and pay over to the state department of revenue an excise tax in accordance with the following schedule upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for use as a fuel to propel aircraft: (a) Gasoline or other fuel used to propel aircraft powered by reciprocating engines shall be taxed at the rate of one and one-half cents per gallon. (b) Any fuel used to propel aircraft powered by jet or turbine engines shall be taxed at the rate of one-half of one cent per gallon. (2) On July 31, 1969, or as soon thereafter as practicable and at the same time in every year thereafter, the commissioner of revenue shall determine the total number of gallons of fuel upon which the tax levied in subsection (d)(1) above has been reported and paid to the state during the preceding twelve months period, and at the same time he shall ascertain the total net amount of revenue produced by the tax levied thereon. If the net proceeds of the tax for such period amount to more than \$450,000, the rate of the tax shall be reduced in decrements of three tenths of one cent per gallon with respect to the tax levied in subsection (d)(1)(a) above and in decrements of one tenth of one cent per gallon with respect to the tax levied in subsection (d)(1)(b) above to the extent required to maintain net collections for such period at a level of \$450,000. If at any time after such a reduction the rate of tax collections declines to the extent that the \$450,000 level for a similar twelve months period cannot be maintained, the rate of the tax shall be correspondingly increased in increments of three tenths of one cent per gallon with respect to the tax levied in subsection (d)(1)(a) above and increments of one tenth of one cent per gallon with respect to the tax levied in subsection (d)(1)(b) above to the extent required to maintain net collections for a similar period at a level of \$450,000. It is the legislative intent by the above provisions to maintain collections at a \$450,000 level per annum. (3) The revenue, less the cost of collection, obtained from the tax levied in subsection (d)(1) above shall be paid into the State Treasury and be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the state, for the payment of the salary of the state director of aeronautics, the salaries of other

employees of the Alabama department of aeronautics, and for the payment of other administrative and aeronautical expenses of the Alabama department of aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes.

(e) Every distributor, refiner, retail dealer, or storer of gasoline or other fuels taxed by this Act shall add the amount of the excise tax levied and assessed herein to the price of the gasoline or other fuels taxed by this Act, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer or user with distributor, refiner, retail dealer, or storer, or in the case of a licensed user, acting merely as an agent of the state for the collection and payment of the tax to the state.

Section 2. This Act shall become effective July 1, 1967 after its passage and approval by the Governor or by its otherwise becoming a law.

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until Thursday, March 30, 1967, at five o'clock P. M. was lost.

Yeas 14; Nays 72.

Yeas:

| | | | |
|-------------|-------|----------------|---------|
| Mr. Speaker | Dobbs | Melton | Starnes |
| Agee | Fine | Owen (Baldwin) | Tuck |
| Burgess | Mays | Shumate | Turnham |
| Collier | Meade | | |

—14

Nays:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Dill | House | Pearson |
| Adwell | Doss | Jackson (F) | Perloff |
| Bank | Downing | Jackson (T) | Pruitt |
| Beck | Drake | Kilgore | Sessions |
| Berryman (R) | Edington | Laxson | Smith (P) |
| Berryman (W) | Ellis | Lemley | Snell |
| Blanton | Foshee | Lybrand | Snodgrass |
| Bowers | Gafford | Malone | Springer |
| Brannan | Gloor | Marr | Steagall |
| Brassell | Graham | Mathews | Stembridge |
| Brown | Hain | McDonald | Stubbs |
| Burgreen | Harris | McElhaney | Thomas |
| Cameron | Haygood | McLain | Waggoner |
| Cherner | Higginbotham | Meeks | Watkins |
| Collins (C) | Hill | Merrill | Weeks |
| Collins (W) | Hobbie | Money | Wood |
| Cook (Jefferson) | Hogan | Owens (W) | Wright |
| Crane | Holman | Owens (W.E.) | Yeilding |
| Culver | | | |

—72

MOTIONS TABLED

On motion of Mr. Pennington, the motion of Mr. Owen to postpone further consideration of the bill, H. 82, as amended, and pending substitute until the next legislative day, was laid upon the table.

Yeas 60; Nays 37.

Yeas:

| | | | |
|------------------|-------------|--------------|------------|
| Messrs.: | Culver | Kilgore | Pennington |
| Adwell | Dill | Laxson | Perloff |
| Bank | Downing | Lybrand | Pruitt |
| Beck | Drake | Malone | Sessions |
| Berryman (W) | Edington | Marr | Smith (P) |
| Blanton | Ellis | Mathews | Snell |
| Bowers | Gafford | McDonald | Snodgrass |
| Brassell | Gloor | McElhaney | Springer |
| Brown | Hain | McLain | Steagall |
| Cameron | Headley | Meeks | Thomas |
| Cherner | Hobbie | Merrill | Waggoner |
| Collins (C) | Hogan | Money | Watkins |
| Collins (W) | Holman | Neville | Wood |
| Cook (Coffee) | House | Owens (W) | Wright |
| Cook (Jefferson) | Jackson (T) | Owens (W.E.) | Yeilding |
| Crane | | | |

—60

Nays:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Smith (C) |
| Bassett | Garrett | Lemley | Starnes |
| Berryman (R) | Graham | Manley | Stembridge |
| Bolton | Harper | Mays | Stubbs |
| Brannan | Harris | McCorquodale | Tuck |
| Burgess | Haygood | Melton | Turnham |
| Burgreen | Higginbotham | Pearson | Weeks |
| Collier | Hill | Shumate | Williams |
| Dobbs | Holladay | Slate | Young |
| Doss | | | |

—37

On motion of Mr. Pennington the motion of Mr. Holladay that the House recess for one hour, was laid upon the table.

Yeas 62; Nays 32.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Drake | Laxson | Pennington |
| Adwell | Edington | Lybrand | Perloff |
| Bank | Ellis | Malone | Sessions |
| Berryman (R) | Foshee | Marr | Smith (P) |
| Bowers | Gafford | Mathews | Snodgrass |
| Brassell | Garrett | Mays | Springer |
| Brown | Gloor | McDonald | Steagall |
| Cameron | Grayson | McElhaney | Stembridge |
| Cherner | Harris | McLain | Thomas |
| Collins (C) | Headley | Meeks | Waggoner |
| Collins (W) | Hogan | Merrill | Watkins |
| Cook (Jefferson) | Holman | Money | Weeks |
| Crane | House | Owen (Baldwin) | Wood |
| Culver | Jackson (F) | Owens (W) | Wright |
| Dill | Jackson (T) | Owens (W.E.) | Yeilding |
| Downing | Kilgore | Pearson | |

—62

Nays:

| | | | |
|--------------|----------|--------|--------------|
| Mr. Speaker | Bolton | Dobbs | Harper |
| Agee | Burgess | Fine | Haygood |
| Berryman (W) | Burgreen | Graham | Higginbotham |
| Blanton | Collier | Hain | Hill |

| | | | |
|----------|--------------|-----------|---------|
| Hobbie | McCorquodale | Shumate | Starnes |
| Holladay | Meade | Slate | Tuck |
| Lemley | Melton | Smith (C) | Turnham |
| Manley | Neville | Snell | Young |

—32

FURTHER CONSIDERATION OF H. 82, AS AMENDED,
AND PENDING SUBSTITUTE

H. 82. To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

As amended, and pending substitute, heretofore set out, was again taken up.

The question was then on the adoption of the substitute offered by Mr. Pennington for the bill, H. 82, as amended, and said substitute was adopted.

Yeas 80; Nays 17.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Culver | House | Perloff |
| Adwell | Dill | Jackson (T) | Pruitt |
| Bank | Doss | Kilgore | Sessions |
| Beck | Downing | Laxson | Slate |
| Berryman (R) | Drake | Lybrand | Smith (P) |
| Berryman (W) | Edington | Malone | Snell |
| Blanton | Ellis | Marr | Snodgrass |
| Bolton | Gafford | Mathews | Springer |
| Bowers | Gloor | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgreen | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Thomas |
| Cherner | Haygood | Meeks | Waggoner |
| Collier | Headley | Merrill | Watkins |
| Collins (C) | Higginbotham | Money | Weeks |
| Collins (W) | Hill | Neville | Williams |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Wood |
| Cook (Jefferson) | Hogan | Pearson | Wright |
| Crane | Holman | Pennington | Yeilding |

—80

Nays:

| | | | |
|----------|-------------|----------------|-----------|
| Messrs.: | Fine | Manley | Shumate |
| Agee | Garrett | Mays | Smith (C) |
| Bassett | Graham | Melton | Tuck |
| Burgess | Holladay | Owen (Baldwin) | Turnham |
| Dobbs | Jackson (F) | | |

—17

AMENDMENT TO H. 82, AS AMENDED, TABLED

Mr. Garrett offered the following amendment to the bill, H. 82, as amended.

Amend Sub-section (a) of Section d(1) of Section 647 by deleting "one and one-half" and inserting therein "three" and further amend Sub-section (b) of d(1) of Section 647 by striking out "one-half of one cent" and inserting therein "three cents."

On motion of Mr. Pennington, the amendment offered by Mr. Garrett to the bill, H. 82, as amended, was laid upon the table.

Yeas 66; Nays 29.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Dill | Jackson (T) | Pennington |
| Adwell | Doss | Kilgore | Perloff |
| Bank | Downing | Laxson | Sessions |
| Beck | Drake | Lybrand | Slate |
| Berryman (R) | Edington | Malone | Smith (P) |
| Blanton | Ellis | Marr | Snell |
| Bowers | Gafford | Mathews | Snodgrass |
| Brassell | Gloor | McDonald | Springer |
| Brown | Grayson | McElhaney | Starnes |
| Burgreen | Hain | McLain | Thomas |
| Cameron | Harris | Meeks | Waggoner |
| Cherner | Haygood | Merrill | Watkins |
| Collins (C) | Headley | Money | Weeks |
| Collins (W) | Higginbotham | Neville | Wood |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | Wright |
| Crane | Holman | Pearson | Yeilding |
| Culver | House | | |

—66

Nays:

| | | | |
|--------------|----------|----------------|------------|
| Messrs.: | Dobbs | Jackson (F) | Shumate |
| Agee | Fine | Lemley | Smith (C) |
| Bassett | Foshee | Mays | Stembridge |
| Berryman (W) | Garrett | McCorquodale | Stubbs |
| Bolton | Graham | Meade | Tuck |
| Brannan | Hill | Melton | Turnham |
| Burgess | Hogan | Owen (Baldwin) | Young |
| Collier | Holladay | | |

—29

H. 82, AS AMENDED, PASSED

H. 82. To amend further Code of Alabama 1940, Title 51, Section 647, as amended, which relates to the excise tax on gasoline so as to exempt aviation gasoline used as fuel in commercial aircraft from such tax; to reduce the rate of such tax on aviation gasoline used to propel private aircraft; and to provide for the use of the proceeds of such tax on aviation gasoline.

This bill will reduce revenue from the Alabama Department of Aeronautics Fund by approximately \$527,270.69.

As amended, was again taken up.

And said bill, H. 82, as amended, was read a third time at length and passed, and sent forthwith to the Senate without engrossment.

Yeas 88; Nays 14.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Sessions |
| Beck | Edington | Lemley | Slate |
| Berryman (R) | Ellis | Lybrand | Smith (P) |
| Blanton | Fine | Malone | Snell |
| Bolton | Foshee | Marr | Snodgrass |
| Bowers | Gafford | Mathews | Springer |
| Brannan | Gloor | Mays | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stubbs |
| Burgreen | Harper | McLain | Thomas |
| Cameron | Harris | Meade | Turnham |
| Cherner | Haygood | Meeks | Waggoner |
| Collier | Headley | Merrill | Watkins |
| Collins (C) | Higginbotham | Money | Weeks |
| Collins (W) | Hill | Neville | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hogan | Owens (W) | Wright |
| Crane | Holman | Owens (W.E.) | Yeilding |
| Culver | House | Pearson | Young |

—88

Nays:

| | | | |
|--------------|----------|--------------|------------|
| Messrs.: | Dobbs | Manley | Smith (C) |
| Bassett | Garrett | McCorquodale | Stembridge |
| Berryman (W) | Graham | Melton | Tuck |
| Burgess | Holladay | Shumate | |

—14

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 30. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, March 28, they adjourn to meet again on Wednesday, March 29, and that when they adjourn on March 29, they adjourn to meet again on Thursday, March 30, and that when they adjourn on Thursday, March 30, they adjourn to meet again on Tuesday, April 4, 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 30 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 19.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Doss | Holladay | Pearson |
| Adwell | Downing | Holman | Pennington |
| Bank | Drake | House | Perloff |
| Beck | Edington | Jackson (F) | Sessions |
| Berryman (R) | Ellis | Jackson (T) | Slate |
| Bolton | Fine | Laxson | Smith (P) |
| Bowers | Foshee | Lemley | Snell |
| Brannan | Gafford | Marr | Starnes |
| Brassell | Gloor | Mathews | Steagall |
| Burgreen | Grayson | McLain | Stubbs |
| Cherner | Hain | Meade | Thomas |
| Collins (W) | Harper | Meeks | Waggoner |
| Cook (Coffee) | Harris | Merrill | Watkins |
| Cook (Jefferson) | Haygood | Money | Weeks |
| Crane | Headley | Neville | Wood |
| Culver | Hill | Owen (Baldwin) | Yeilding |
| Dill | Hobbie | Owens (W.E.) | |

—67

Nays:

| | | | |
|--------------|---------|-----------|-----------|
| Messrs.: | Collier | Manley | Smith (C) |
| Bassett | Dobbs | Mays | Springer |
| Berryman (W) | Garrett | McElhaney | Tuck |
| Burgess | Graham | Melton | Wright |
| Cameron | Malone | Shumate | Young |

—19

H. 83 INDEFINITELY POSTPONED

On motion of Mr. Cook (Jefferson), the bill, H. 83, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Merrill to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 22 and S. 20, was adopted.

PASSAGE OF S. 22 AND S. 20

And the bill:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

This bill raises the maximum merit system salary from \$12,500 to \$13,200 annually.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

| | | | |
|-------------|--------------|--------------|----------|
| Mr. Speaker | Bassett | Berryman (W) | Bowers |
| Adwell | Beck | Blanton | Brannan |
| Bank | Berryman (R) | Bolton | Brassell |

| | | | |
|------------------|-------------|----------------|------------|
| Brown | Graham | Marr | Shumate |
| Burgess | Grayson | Mathews | Smith (C) |
| Burgreen | Hain | Mays | Smith (P) |
| Cameron | Harper | McCorquodale | Snell |
| Cherner | Harris | McDonald | Snodgrass |
| Collier | Haygood | McElhaney | Springer |
| Collins (W) | Headley | McLain | Starnes |
| Cook (Coffee) | Hill | Meade | Steagall |
| Cook (Jefferson) | Hobbie | Meeks | Stembridge |
| Crane | Hogan | Melton | Stubbs |
| Culver | Holladay | Merrill | Thomas |
| Dobbs | Holman | Money | Tuck |
| Downing | House | Neville | Turnham |
| Drake | Jackson (F) | Owen (Baldwin) | Waggoner |
| Edington | Jackson (T) | Owens (W) | Weeks |
| Ellis | Kilgore | Owens (W.E.) | Williams |
| Fine | Laxson | Pearson | Wood |
| Foshee | Lemley | Pennington | Wright |
| Gafford | Lybrand | Perloff | Yeilding |
| Garrett | Malone | Pruitt | Young |
| Gloor | Manley | | |

—94

And the bill:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

This bill appropriates \$540,721.00 from the General Fund, \$256,022.00 from the trust funds, and \$17,058.00 from the Alabama Special Educational Trust Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jackson (T) | Pennington |
| Adwell | Drake | Kilgore | Perloff |
| Bank | Edington | Laxson | Pruitt |
| Bassett | Ellis | Lemley | Shumate |
| Beck | Fine | Lybrand | Slate |
| Berryman (R) | Foshee | Malone | Smith (C) |
| Berryman (W) | Gafford | Manley | Smith (P) |
| Blanton | Garrett | Marr | Snell |
| Bolton | Gloor | Mathews | Snodgrass |
| Bowers | Graham | Mays | Springer |
| Brannan | Grayson | McCorquodale | Starnes |
| Brassell | Hain | McDonald | Steagall |
| Brown | Harper | McElhaney | Stembridge |
| Burgess | Harris | McLain | Stubbs |
| Burgreen | Haygood | Meade | Thomas |
| Cameron | Headley | Meeks | Tuck |
| Cherner | Higginbotham | Melton | Turnham |
| Collier | Hill | Merrill | Waggoner |
| Collins (W) | Hobbie | Money | Williams |
| Cook (Coffee) | Hogan | Neville | Wood |
| Cook (Jefferson) | Holladay | Owen (Baldwin) | Wright |
| Crane | Holman | Owens (W) | Yeilding |
| Culver | House | Owens (W.E.) | Young |
| Dobbs | Jackson (F) | Pearson | |

—95

RESOLUTION

The following resolution was introduced:

By Mr. Ellis:

H. J. R. 56. WHEREAS, The President of the United States has appointed Harold Howe as Commissioner of Education; and

WHEREAS, Harold Howe has used his office to harass, intimidate and coerce local boards of education within the State of Alabama; and

WHEREAS, Harold Howe has issued so-called guidelines which are not only illegal and transcends the law but which, if followed in the State of Alabama, would completely disrupt and destroy public education in the State of Alabama; and

WHEREAS, The said Harold Howe has made public speeches calling for riots as occurred in the Watts area of Los Angeles to "spur action" in the school systems; and

WHEREAS, Harold Howe has also publicly stated, "If it takes violence to change it . . . , well, that's what it takes."; and

WHEREAS, Harold Howe, not only seeks to control every school system in the State of Alabama, but plans to make attempts to control the school systems in the other parts of the country; and

WHEREAS, to allow Harold Howe to continue as Commissioner of Education will ultimately destroy state and local control of every school system in the country; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Alabama does hereby condemn the activities of Harold Howe in connection with the school systems of the State of Alabama and do hereby call upon the Congressional Delegation from the State of Alabama to use every means at their disposal to remove the said Harold Howe from office.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Congressional Delegation from the State of Alabama and to the President of the United States.

On motion of Mr. Ellis the rules were suspended and H. J. R. 56 was adopted.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 8 and S. 9, was lost.

Yeas 39; Nays 45.

Yeas:

| | | | |
|-------------|----------|-------------|-----------|
| Messrs.: | Culver | Hill | Merrill |
| Adwell | Dill | Hogan | Owens (W) |
| Bank | Downing | Holladay | Perloff |
| Blanton | Edington | Holman | Sessions |
| Bowers | Ellis | Jackson (T) | Shumate |
| Brown | Gafford | Kilgore | Snell |
| Cherner | Garrett | Lybrand | Thomas |
| Collins (C) | Gloor | Malone | Turnham |
| Collins (W) | Grayson | Marr | Waggoner |
| Crane | Haygood | Meeks | Yeilding |

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Drake | Manley | Pennington |
| Agee | Fine | Mathews | Pruitt |
| Beck | Foshee | Mays | Smith (P) |
| Berryman (R) | Graham | McCorquodale | Starnes |
| Berryman (W) | Hain | McElhaney | Stembridge |
| Bolton | Harper | McLain | Stubbs |
| Brannan | Harris | Melton | Tuck |
| Brassell | Higginbotham | Money | Williams |
| Burgess | Hobbie | Neville | Wood |
| Cameron | Jackson (F) | Owen (Waldwin) | Wright |
| Collier | Lemley | Pearson | Young |
| Dobbs | | | |

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 24. Proclaiming "Houston Cole Day in Alabama" in honor of Dr. Houston Cole, President of Jacksonville State University.

Also:

H. J. R. 23. Designating the new science building on the campus of Jacksonville State University "Martin Hall" in honor of Mr. J. Thomas Martin of Jacksonville.

Also:

H. J. R. 26. Expressing regret upon the death of Mr. John Glenn Stanley, veteran newspaper editor of Greenville, Alabama.

Also:

H. J. R. 14. Mourning the death of Mr. Carlos Nelson of Limestone County.

Also:

H. J. R. 22. Requesting the issuance of a postage stamp to commemorate the one hundred and fiftieth anniversary of the Alabama Territory.

Also:

H. J. R. 17. Designating the new dining hall at Auburn University "Leila Avary Terrell Hall".

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 16. Designating the "Douglas McArthur State Technical Institute" at Opp in Covington County.

Also:

H. J. R. 25. Expressing regret upon the death of Charles M. Pinkston.

Also:

H. J. R. 32. Designating the Tuscaloosa County Public Lake "Lake Lurleen".

Also:

H. J. R. 31. Endorsing Mrs. Rose Doane for the award of the Carnegie Medal.

Also:

H. J. R. 30. Endorsing Jesse Williams for the award of the Carnegie Medal.

Also:

H. J. R. 33. Proclaiming Vocational Education Week in Alabama in recognition of the fiftieth anniversary of the passage of the Smith-Hughes Act.

Also:

H. J. R. 34. Naming the Eugene B. Landreth Music Hall at the Alabama School for the Blind at Talladega.

Also:

H. J. R. 36. Congratulating Lady, an exceptional six year old Pointer, her owner and trainer, for Lady's outstanding performance in winning the National Bird Dog Championship of 1967.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 18. Expressing regret upon the death of Mr. Walter D. Newman of Guntersville.

Also:

H. J. R. 19. Expressing regret upon the death of Roosevelt Williamson, outstanding Negro citizen of Guntersville.

Also:

H. J. R. 20. Expressing regret upon the death of Mr. Tom McCord.

Also:

H. J. R. 8. Requesting the President of the United States to release to the State of Alabama federal funds being withheld.

Also:

H. J. R. 11. Opposing any increase in postal rates for first class mail and urging that rates charged for all second, third and fourth class mail be in accordance with the cost incurred in handling such mail.

Also:

H. J. R. 10. Expressing regret upon the death of Mr. Owen Downing, brother of Representative Downing from Mobile County.

Also:

H. J. R. 15. Commending Dr. Gilbert E. Fisher of Union Springs, Alabama for his skill and accomplishments in the field of medicine.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 176 POSTPONED

The motion of Mr. McCorquodale to lay on the table the motion of Mr. Brown to postpone consideration of the bill, H. 176, until the sixteenth legislative day, was lost.

Yeas 20; Nays 69.

Yeas:

| | | | |
|--------------|--------------|----------------|----------|
| Mr. Speaker | Brassell | McCorquodale | Pruitt |
| Agee | Graham | Neville | Snell |
| Berryman (R) | Higginbotham | Owen (Baldwin) | Steagall |
| Berryman (W) | Mathews | Owens (W) | Stubbs |
| Bolton | Mays | Pennington | Young |

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Dobbs | Hogan | Money |
| Adwell | Downing | Holman | Pearson |
| Bank | Drake | House | Perloff |
| Beck | Edington | Jackson (F) | Sessions |
| Blanton | Ellis | Jackson (T) | Smith (C) |
| Bowers | Fine | Kilgore | Smith (P) |
| Brown | Foshee | Laxson | Snodgrass |
| Burgess | Gafford | Lemley | Springer |
| Burgreen | Garrett | Lybrand | Starnes |
| Cameron | Gloor | Malone | Stembridge |
| Cherner | Grayson | Marr | Thomas |
| Collier | Hain | McDonald | Waggoner |
| Collins (C) | Harper | McLain | Watkins |
| Collins (W) | Harris | Meade | Williams |
| Cook (Jefferson) | Haygood | Meeks | Wood |
| Crane | Headley | Melton | Wright |
| Culver | Hill | Merrill | Yeilding |
| Dill | Hobbie | | |

—69

And the motion of Mr. Brown to postpone consideration of the bill, H. 176, until the sixteenth legislative day was adopted.

Yeas 70; Nays 19.

Yeas:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Crane | Hobbie | Merrill |
| Adwell | Dill | Hogan | Money |
| Bank | Dobbs | Holladay | Owens (W) |
| Bassett | Downing | Holman | Pearson |
| Beck | Drake | House | Perloff |
| Berryman (W) | Edington | Jackson (F) | Sessions |
| Blanton | Ellis | Jackson (T) | Smith (C) |
| Bowers | Fine | Kilgore | Smith (P) |
| Brassell | Foshee | Laxson | Snodgrass |
| Brown | Garrett | Lemley | Springer |
| Burgess | Gloor | Lybrand | Starnes |
| Burgreen | Grayson | Malone | Thomas |
| Cameron | Hain | Marr | Waggoner |
| Cherner | Harper | McDonald | Watkins |
| Collier | Harris | McLain | Wood |
| Collins (C) | Haygood | Meade | Wright |
| Collins (W) | Headley | Meeks | Yeilding |
| Cook (Jefferson) | Hill | Melton | |

—70

Nays:

| | | | |
|-------------|--------------|----------------|----------|
| Mr. Speaker | Graham | Neville | Steagall |
| Agee | Higginbotham | Owen (Baldwin) | Stubbs |
| Bolton | Mathews | Pennington | Turnham |
| Brannan | Mays | Shumate | Young |
| Culver | McCorquodale | Snell | |

—19

H. 177 AND H. 178 POSTPONED

On motion of Mr. Pruitt, consideration of the bills, H. 177 and H. 178, was postponed until the sixteenth legislative day.

BILLS ON THIRD READING RESUMED

S. 8. To make an appropriation to the State Department of Mental Health.

This bill appropriates \$500,000 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Agee | Drake | Kilgore | Pruitt |
| Bank | Edington | Laxson | Sessions |
| Bassett | Ellis | Lemley | Shumate |
| Beck | Fine | Lybrand | Smith (C) |
| Berryman (R) | Foshee | Malone | Smith (P) |
| Berryman (W) | Gafford | Manley | Snell |
| Blanton | Garrett | Marr | Snodgrass |
| Bolton | Gloor | Mathews | Springer |
| Bowers | Graham | Mays | Starnes |
| Brannan | Grayson | McCorquodale | Steagall |
| Brassell | Hain | McElhaney | Stembridge |
| Brown | Harper | McLain | Stubbs |
| Burgess | Harris | Meade | Thomas |
| Burgreen | Haygood | Meeks | Tuck |
| Cameron | Headley | Melton | Turnham |
| Cherner | Higginbotham | Merrill | Waggoner |
| Collins (C) | Hill | Money | Williams |
| Collins (W) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Crane | Holladay | Owens (W) | Yeilding |
| Culver | House | Pearson | Young |

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And the bill:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

This bill appropriates \$450,000 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collier | Graham | Laxson |
| Adwell | Collins (C) | Grayson | Lemley |
| Agee | Collins (W) | Hain | Lybrand |
| Bank | Cook (Jefferson) | Harper | Malone |
| Bassett | Crane | Harris | Manley |
| Beck | Culver | Haygood | Marr |
| Berryman (R) | Dill | Headley | Mathews |
| Berryman (W) | Dobbs | Higginbotham | Mays |
| Blanton | Downing | Hill | McCorquodale |
| Bolton | Drake | Hobbie | McDonald |
| Brannan | Edington | Hogan | McElhaney |
| Brassell | Ellis | Holladay | McLain |
| Brown | Fine | Holman | Meade |
| Burgess | Foshee | House | Meeks |
| Burgreen | Gafford | Jackson (F) | Melton |
| Cameron | Garrett | Jackson (T) | Merrill |
| Cherner | Gloor | Kilgore | Money |

| | | | |
|----------------|-----------|------------|----------|
| Neville | Sessions | Steagall | Waggoner |
| Owen (Baldwin) | Shumate | Stembridge | Williams |
| Owens (W) | Smith (C) | Stubbs | Wood |
| Pearson | Smith (P) | Thomas | Wright |
| Pennington | Snell | Tuck | Yeilding |
| Perloff | Springer | Turnham | Young |
| Pruitt | Starnes | | |

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:00 P. M. On March 28, 1967:

H. J. R. 24
H. J. R. 23
H. J. R. 26
H. J. R. 14
H. J. R. 22
H. J. R. 17
H. J. R. 16
H. J. R. 25
H. J. R. 32
H. J. R. 31
H. J. R. 30
H. J. R. 33
H. J. R. 34
H. J. R. 36
H. J. R. 18
H. J. R. 19
H. J. R. 20
H. J. R. 8
H. J. R. 11
H. J. R. 10
H. J. R. 15

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN LOST

The motion of Mrs. Collins (C) that the House adjourn until Wednesday, March 29, 1967, at eleven o'clock A. M. was lost.

ADJOURNMENT

On motion of Mr. Thomas the House adjourned until Wednesday, March 29, 1967, at two o'clock P. M.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, March 29, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pearson |
| Adwell | Dobbs | Jackson (F) | Pennington |
| Agee | Doss | Jackson (T) | Perloff |
| Bank | Downing | Kilgore | Pruitt |
| Bassett | Drake | Laxson | Sessions |
| Beck | Edington | Lemley | Shumate |
| Berryman (R) | Ellis | Lybrand | Smith (C) |
| Berryman (W) | Fine | Malone | Snell |
| Blanton | Foshee | Manley | Snodgrass |
| Bowers | Gafford | Marr | Springer |
| Brannan | Garrett | Mathews | Starnes |
| Brassell | Gloor | Mays | Steagall |
| Brown | Graham | McCorquodale | Stembridge |
| Burgess | Grayson | McDonald | Stubbs |
| Burgreen | Hain | McElhaney | Thomas |
| Cameron | Harper | McLain | Tuck |
| Cherner | Harris | Meade | Turnham |
| Collier | Haygood | Melton | Waggoner |
| Collins (C) | Headley | Merrill | Watkins |
| Collins (W) | Higginbotham | Money | Weeks |
| Cook (Coffee) | Hill | Neville | Williams |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Crane | Hogan | Owens (W) | Wright |
| Culver | Holman | Owens (W.E.) | Young |

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

SUPREME COURT ADVISORY OPINION
LETTER OF TRANSMITTAL
OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. RENDER THOMAS (1881-1966)
Clerk

RICHARD W. NEAL
Deputy Clerk

LOUISE L. HOLT
Assistant Clerk

March 28, 1967

Honorable John Pemberton, Clerk
House of Representatives
State Capitol

Dear Mr. Pemberton:

Enclosed are two copies of the Opinion of the Justices of the Supreme Court rendered in response to request for an advisory opinion concerning constitutional questions presented by House Bill 152 creating an assistant Probate Judge in counties of 600,000 population or more.

Yours very truly,
RICHARD W. NEAL,
Deputy Clerk.

RWN/lh

SUPREME COURT ADVISORY OPINION

Read and ordered filed.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creat-

ing certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 23 (with amendments). To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

This bill does not affect any state revenues.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

This bill does not affect any state revenues.

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between

the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

This bill does not affect any state revenue.

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

This bill does not affect any state revenue.

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

This bill appropriates \$4,300.00 from the State Board of Chiropractic Examiners Fund for the fiscal year ending September 30, 1967.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 3 (with substitute). To appropriate from the State General Fund the sum of Fifty Thousand Dollars (\$50,000.00) to the State Building Commission to be used for additional construction and equipping of a public fishing pier at Gulf State Park.

This bill authorizes the Director of Conservation to transfer a sum not exceeding \$50,000.00 from the Bureau of Outdoor Recreation monies to the State Building Commission for the construction of a fishing pier at Gulf State Park.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 47. To provide for payment of the additional amount of \$3.00 as a portion of the license or registration fee with respect to each motor vehicle, including each self-propelled vehicle and each vehicle drawn

by a self-propelled vehicle, used on public highways in the State of Alabama; and to provide for disposition of the additional amount of license herein provided for.

The State Revenue Department estimates that this bill will increase revenue by approximately \$5,200,000.00 per annum, which, under the provisions of the bill, is payable to the municipalities of the State of Alabama.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Mays (with notice and proof):

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Local Legislation No. 1.

Notice and Proof H. 205:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of M. Benenson, of Atmore, from the treasury of Escambia County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one thousand and five hundred dollars (\$1,500) is hereby appropriated from the general fund of Escambia County for the relief of M. Benenson, of Atmore, as a refund of money paid into the county treasury by said Benenson on account of the forfeiture of a bail bond executed by him as surety on or about April 15, 1958, in the case of STATE OF ALABAMA v. BURNS M. BRADLER, in the Circuit Court of Escambia County, Alabama.

Section 2. The appropriation herein made shall be paid by the custodian of county funds on warrant drawn in the same manner as other warrants are drawn against such funds as provided by law.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, ESCAMBIA COUNTY.

E. R. Morrinette, Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE ATMORE ADVANCE, a Weekly Newspaper

published at Atmore, Escambia County, Alabama; that the notice hereto attached of Legal Notice—A Bill To Be Entitled an Act, M. Benenson Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Nov. 17, 1966

Date of 2nd publication Nov. 24, 1966

Date of 3rd publication Dec. 1, 1966

Date of 4th publication Dec. 8, 1966

Subscribed and sworn before the undersigned this 13th day of Dec. 1966.

MOLLY A. NORRIS,
Notary Public, Escambia County.

My Commission Expires Feb. 1967

E. R. MORRINETTE, JR.,
Publisher.

RESOLUTION

The following resolution was introduced:

By Mr. Harper:

H. J. R. 57. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library building now under construction at Alexander City State Junior College shall be known and designated as the Thomas D. Russell Library in recognition and appreciation of Mr. Russell's great dedication and untiring effort in furthering the cause of education in Alabama, and particularly in Tallapoosa County and Alexander City.

On motion of Mr. Harper the rules were suspended and H. J. R. 57 was adopted.

H. 152 POSTPONED

On motion of Mr. Dill, consideration of the bill, H. 152, was postponed until the seventeenth legislative day.

BILLS ON THIRD READING

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nay 1.

Yeas:

| | | | |
|--------------|----------|------------------|----------|
| Mr. Speaker | Blanton | Cameron | Dill |
| Adwell | Bowers | Collier | Dobbs |
| Agee | Brannan | Collins (C) | Doss |
| Beck | Brassell | Collins (W) | Downing |
| Berryman (R) | Brown | Cook (Jefferson) | Drake |
| Berryman (W) | Burgess | Culver | Edington |

| | | | |
|--------------|-------------|----------------|------------|
| Ellis | Hobbie | Mays | Shumate |
| Fine | Hogan | McElhaney | Smith (C) |
| Foshee | Holman | McLain | Snell |
| Gafford | House | Meade | Snodgrass |
| Gloor | Jackson (F) | Melton | Springer |
| Graham | Jackson (T) | Merrill | Starnes |
| Hain | Kilgore | Money | Stembridge |
| Harper | Laxson | Neville | Stubbs |
| Harris | Lemley | Owen (Baldwin) | Tuck |
| Haygood | Lybrand | Owens (W) | Waggoner |
| Headley | Malone | Pearson | Weeks |
| Higginbotham | Manley | Perloff | Wright |
| Hill | Marr | Sessions | Young |

—76

Nay: Mr. Burgreen

—1

And the bill:

H. 24 (with amendments). Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Local Legislation No. 1, said committee amendments being as follows:

LOCAL LEGISLATION NO. 1 COMMITTEE AMENDMENT NO. 1 TO H. 24

In Section 3, strike out the first sentence and insert the following sentence in lieu thereof:

The members of the board of revenue of Lawrence County elected to the board from the four districts herein described may serve as members of the court of county commissioners, for the pay provided in Section 5, until commissioners are elected and qualified as in this Act provided.

And the amendment was adopted.

Yeas 71; Nay 1.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Collins (C) | Gloor | Lemley |
| Adwell | Collins (W) | Graham | Lybrand |
| Agee | Cook (Jefferson) | Hain | Malone |
| Beck | Culver | Harper | Manley |
| Berryman (R) | Dill | Harris | Marr |
| Berryman (W) | Dobbs | Headley | Mays |
| Blanton | Doss | Higginbotham | Meade |
| Bowers | Downing | Hill | Melton |
| Brannan | Drake | Hogan | Merrill |
| Brassell | Edington | House | Money |
| Brown | Ellis | Jackson (F) | Neville |
| Burgess | Fine | Jackson (T) | Owen (Baldwin) |
| Cameron | Foshee | Kilgore | Owens (W) |
| Collier | Gafford | Laxson | Pearson |

| | | | | |
|----------|--------------|------------|--------|-----|
| Perloff | Smith (C) | Stembridge | Weeks | |
| Pruitt | Snell | Stubbs | Wright | |
| Sessions | Snodgrass | Tuck | Young | |
| Shumate | Springer | Waggoner | | —71 |
| Nay: | Mr. Burgreen | | | —1 |

And

LOCAL LEGISLATION NO. 1 COMMITTEE AMENDMENT NO. 2
to H. 24

Strike out Section 20 and insert in lieu thereof the following:

Section 20. This Act shall become operative in the county only if it is approved by a majority of the qualified electors who vote thereon at a referendum election held for such purpose. The referendum shall be held on a day not less than 30 nor more than 60 days after the date of enactment of this Act. The election shall be called and notice thereof shall be given by the probate judge of Lawrence County. The probate judge shall give notice of the election by publishing a copy of the title of this Act, together with his announcement of the day the election is to be held, once a week for two successive weeks before the day fixed for the election, in a newspaper having a general circulation in the county; the probate judge shall also post a copy of the notice at the county courthouse. The election shall be held and conducted as nearly as may be according to the general laws of the state regulating elections on constitutional amendments. The question to be submitted shall be stated substantially as follows: Do you favor creation of a county commission to replace the board of revenue as provided in House Bill 24 enacted at the 1967 special session of the Legislature? Yes () No (). If a majority of the votes cast at the election are "yes," this Act shall become effective on the first of the month next following the date of the election; if a majority vote "no," this Act shall have no further effect. The expenses incurred in holding the election shall be paid from the county treasury upon certificates of the probate judge. The probate judge shall certify the results of the election to the Secretary of State within 30 days after the election.

And the amendment was adopted.

Yeas 74; Nay 1.

Yeas:

| | | | |
|------------------|--------------|-------------|----------------|
| Mr. Speaker | Dill | Hogan | Owen (Baldwin) |
| Adwell | Doss | House | Owens (W) |
| Agee | Downing | Jackson (F) | Pearson |
| Bassett | Drake | Jackson (T) | Perloff |
| Beck | Edington | Kilgore | Sessions |
| Berryman (R) | Ellis | Laxson | Shumate |
| Berryman (W) | Fine | Lemley | Smith (C) |
| Blanton | Foshee | Lybrand | Snell |
| Bowers | Gafford | Malone | Snodgrass |
| Brannan | Gloor | Manley | Springer |
| Brassell | Graham | Marr | Stembridge |
| Brown | Grayson | Mays | Stubbs |
| Burgess | Hain | McLain | Tuck |
| Cameron | Harper | Meade | Waggoner |
| Collier | Harris | Melton | Weeks |
| Collins (C) | Haygood | Merrill | Williams |
| Collins (W) | Headley | Money | Wright |
| Cook (Jefferson) | Higginbotham | Neville | Young |
| Culver | Hill | | |

Nay: Mr. Burgreen

—1

And said bill, H. 24, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nay 1.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Hogan | Owens (W) |
| Adwell | Doss | House | Pearson |
| Agee | Downing | Jackson (F) | Perloff |
| Bassett | Drake | Jackson (T) | Pruitt |
| Beck | Edington | Laxson | Sessions |
| Berryman (R) | Ellis | Lemley | Shumate |
| Berryman (W) | Fine | Lybrand | Smith (C) |
| Blanton | Foshee | Malone | Snell |
| Bowers | Gafford | Manley | Snodgrass |
| Brannan | Gloor | Marr | Springer |
| Brassell | Graham | Mays | Stembridge |
| Burgess | Grayson | McCorquodale | Stubbs |
| Cameron | Hain | McLain | Tuck |
| Cherner | Harper | Meade | Waggoner |
| Collier | Harris | Melton | Weeks |
| Collins (C) | Haygood | Merrill | Williams |
| Collins (W) | Headley | Money | Wright |
| Cook (Jefferson) | Higginbotham | Neville | Young |
| Culver | Hill | Owen (Baldwin) | |

—75

Nay: Mr. Burgreen

—1

And the bill:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dobbs | Hogan | Owen (Baldwin) |
| Adwell | Doss | Holman | Owens (W) |
| Agee | Downing | House | Pearson |
| Bassett | Drake | Jackson (F) | Perloff |
| Beck | Edington | Jackson (T) | Pruitt |
| Berryman (R) | Ellis | Kilgore | Sessions |
| Berryman (W) | Fine | Laxson | Smith (C) |
| Blanton | Foshee | Lemley | Snell |
| Bowers | Gafford | Lybrand | Snodgrass |
| Brannan | Garrett | Malone | Springer |
| Brassell | Gloor | Manley | Stembridge |
| Burgess | Graham | Marr | Stubbs |
| Cameron | Grayson | Mays | Tuck |
| Cherner | Hain | McCorquodale | Waggoner |
| Collier | Harper | McLain | Weeks |
| Collins (C) | Harris | Meade | Williams |
| Collins (W) | Haygood | Melton | Wood |
| Cook (Jefferson) | Headley | Merrill | Wright |
| Culver | Higginbotham | Money | Young |
| Dill | Hill | Neville | |

—79

And the bill:

H. 182. To apply only in counties having populations of not less than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dill | Hobbie | Neville |
| Adwell | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Bassett | Downing | House | Pearson |
| Beck | Drake | Jackson (F) | Perloff |
| Berryman (R) | Edington | Jackson (T) | Pruitt |
| Berryman (W) | Ellis | Kilgore | Sessions |
| Blanton | Fine | Laxson | Shumate |
| Bowers | Foshee | Lemley | Smith (C) |
| Brannan | Gafford | Lybrand | Snell |
| Brassell | Garrett | Malone | Snodgrass |
| Brown | Gloor | Manley | Springer |
| Burgess | Graham | Marr | Stembridge |
| Burgreen | Grayson | Mays | Stubbs |
| Cameron | Hain | McCorquodale | Tuck |
| Cherner | Harper | McLain | Waggoner |
| Collier | Harris | Meade | Weeks |
| Collins (C) | Haygood | Melton | Wood |
| Collins (W) | Headley | Merrill | Wright |
| Cook (Jefferson) | Higginbotham | Money | Young |
| Culver | Hill | | |

—82

And the bill:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|-------------|
| Mr. Speaker | Burgreen | Foshee | Hobbie |
| Adwell | Cameron | Gafford | Hogan |
| Agee | Collier | Garrett | Holman |
| Bank | Collins (W) | Gloor | House |
| Bassett | Cook (Jefferson) | Graham | Jackson (F) |
| Beck | Culver | Grayson | Jackson (T) |
| Berryman (R) | Dobbs | Hain | Laxson |
| Berryman (W) | Doss | Harper | Lemley |
| Blanton | Downing | Harris | Lybrand |
| Bowers | Drake | Haygood | Malone |
| Brannan | Edington | Headley | Manley |
| Brassell | Ellis | Higginbotham | Marr |
| Burgess | Fine | Hill | Mays |

| | | | |
|--------------|----------------|------------|----------|
| McCorquodale | Owen (Baldwin) | Smith (C) | Tuck |
| McLain | Owens (W) | Snell | Waggoner |
| Meade | Pearson | Snodgrass | Weeks |
| Melton | Perloff | Springer | Wood |
| Merrill | Pruitt | Stembridge | Wright |
| Money | Sessions | Stubbs | Young |
| Neville | Shumate | | |

—78

And the bill:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dill | Hobbie | Neville |
| Adwell | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Bank | Downing | House | Pearson |
| Bassett | Drake | Jackson (F) | Perloff |
| Beck | Edington | Jackson (T) | Pruitt |
| Berryman (R) | Ellis | Kilgore | Shumate |
| Berryman (W) | Fine | Laxson | Smith (C) |
| Blanton | Foshee | Lemley | Snell |
| Bowers | Gafford | Lybrand | Snodgrass |
| Brannan | Gloor | Malone | Springer |
| Brassell | Graham | Manley | Stembridge |
| Burgess | Grayson | Marr | Stubbs |
| Burgreen | Hain | Mays | Tuck |
| Cameron | Harper | McCorquodale | Waggoner |
| Cherner | Harris | McLain | Weeks |
| Collier | Haygood | Meade | Williams |
| Collins (C) | Headley | Melton | Wood |
| Collins (W) | Higginbotham | Merrill | Wright |
| Cook (Jefferson) | Hill | Money | Young |
| Culver | | | |

—81

And the bill:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|--------------|--------------|-------------|------------------|
| Mr. Speaker | Berryman (W) | Burgess | Collins (W) |
| Adwell | Blanton | Burgreen | Cook (Jefferson) |
| Agee | Bowers | Cameron | Culver |
| Bassett | Brannan | Cherner | Dill |
| Beck | Brassell | Collier | Dobbs |
| Berryman (R) | Brown | Collins (C) | Doss |

| | | | |
|----------|--------------|----------------|------------|
| Downing | Headley | Manley | Pruitt |
| Drake | Higginbotham | Marr | Shumate |
| Edington | Hill | Mays | Smith (C) |
| Ellis | Hobbie | McCorquodale | Snell |
| Fine | Hogan | McLain | Snodgrass |
| Foshee | Holman | Meade | Stembridge |
| Gafford | House | Melton | Stubbs |
| Garrett | Jackson (F) | Merrill | Tuck |
| Gloor | Jackson (T) | Money | Waggoner |
| Graham | Kilgore | Neville | Weeks |
| Grayson | Laxson | Owen (Baldwin) | Williams |
| Hain | Lemley | Owens (W) | Wood |
| Harper | Lybrand | Pearson | Wright |
| Harris | Malone | Perloff | Young |
| Haygood | | | |

—81

And the bill:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dill | Hobbie | Neville |
| Adwell | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Bassett | Downing | House | Pearson |
| Beck | Drake | Jackson (F) | Perloff |
| Berryman (R) | Edington | Jackson (T) | Pruitt |
| Berryman (W) | Ellis | Kilgore | Shumate |
| Blanton | Fine | Laxson | Smith (C) |
| Bowers | Foshee | Lemley | Snell |
| Brannan | Gafford | Lybrand | Snodgrass |
| Brassell | Gloor | Malone | Stembridge |
| Brown | Graham | Marr | Stubbs |
| Burgess | Grayson | Mays | Tuck |
| Burgreen | Hain | McCorquodale | Waggoner |
| Cameron | Harper | McLain | Weeks |
| Collier | Harris | Meade | Williams |
| Collins (C) | Haygood | Melton | Wood |
| Collins (W) | Headley | Merrill | Wright |
| Cook (Jefferson) | Higginbotham | Money | Young |
| Culver | Hill | | |

—78

And the bill:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dobbs | Hobbie | Neville |
| Adwell | Doss | Hogan | Owen (Baldwin) |
| Agee | Downing | Holman | Owens (W) |
| Bassett | Drake | House | Pearson |
| Beck | Edington | Jackson (F) | Perloff |
| Berryman (R) | Ellis | Jackson (T) | Sessions |
| Berryman (W) | Fine | Kilgore | Shumate |
| Blanton | Foshee | Laxson | Smith (C) |
| Bowers | Gafford | Lemley | Snell |
| Brannan | Gloor | Lybrand | Snodgrass |
| Brown | Graham | Malone | Stembridge |
| Burgess | Grayson | Marr | Stubbs |
| Burgreen | Hain | Mays | Tuck |
| Cameron | Harper | McCorquodale | Waggoner |
| Collier | Harris | McLain | Weeks |
| Collins (C) | Haygood | Meade | Williams |
| Collins (W) | Headley | Melton | Wood |
| Cook (Jefferson) | Higginbotham | Merrill | Wright |
| Culver | Hill | Money | Young |
| Dill | | | |

—77

And the bill:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dill | Hobbie | Neville |
| Adwell | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Bassett | Downing | House | Pearson |
| Beck | Drake | Jackson (F) | Perloff |
| Berryman (R) | Edington | Jackson (T) | Sessions |
| Berryman (W) | Ellis | Kilgore | Shumate |
| Blanton | Fine | Laxson | Smith (C) |
| Bowers | Foshee | Lemley | Snell |
| Brannan | Gafford | Lybrand | Snodgrass |
| Brassell | Gloor | Malone | Stembridge |
| Burgess | Graham | Marr | Stubbs |
| Burgreen | Hain | Mays | Tuck |
| Cameron | Harper | McCorquodale | Waggoner |
| Collier | Harris | McLain | Weeks |
| Collins (C) | Haygood | Meade | Williams |
| Collins (W) | Headley | Melton | Wood |
| Cook (Jefferson) | Higginbotham | Merrill | Wright |
| Culver | Hill | Money | Young |

—76

And the bill:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Doss | Hogan | Owen (Baldwin) |
| Adwell | Downing | Holman | Owens (W) |
| Agee | Drake | House | Pearson |
| Bassett | Edington | Jackson (F) | Perloff |
| Beck | Ellis | Jackson (T) | Sessions |
| Berryman (R) | Fine | Kilgore | Shumate |
| Berryman (W) | Foshee | Laxson | Smith (C) |
| Blanton | Gafford | Lemley | Snell |
| Bowers | Gloor | Lybrand | Snodgrass |
| Brannan | Graham | Malone | Stembridge |
| Brassell | Grayson | Marr | Stubbs |
| Burgess | Hain | Mays | Tuck |
| Burgreen | Harper | McCorquodale | Waggoner |
| Cameron | Harris | McLain | Weeks |
| Collier | Haygood | Meade | Williams |
| Collins (C) | Headley | Melton | Wood |
| Collins (W) | Higginbotham | Merrill | Wright |
| Cook (Jefferson) | Hill | Money | Young |
| Culver | Hobbie | Neville | |

—75

And the bill:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Culver | Hill | Neville |
| Adwell | Dobbs | Hobbie | Owen (Baldwin) |
| Agee | Doss | Hogan | Owens (W) |
| Bank | Downing | Holman | Pearson |
| Bassett | Drake | House | Perloff |
| Beck | Edington | Jackson (F) | Sessions |
| Berryman (R) | Ellis | Jackson (T) | Shumate |
| Berryman (W) | Fine | Laxson | Smith (C) |
| Blanton | Foshee | Lemley | Snell |
| Bowers | Gafford | Lybrand | Snodgrass |
| Brannan | Gloor | Malone | Stembridge |
| Brassell | Graham | Marr | Stubbs |
| Brown | Grayson | Mays | Tuck |
| Burgess | Hain | McCorquodale | Waggoner |
| Burgreen | Harper | McLain | Weeks |
| Cameron | Harris | Meade | Williams |
| Collier | Haygood | Melton | Wood |
| Collins (C) | Headley | Merrill | Wright |
| Collins (W) | Higginbotham | Money | Young |
| Cook (Jefferson) | | | |

—77

And the bill:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Cook (Jefferson) | Higginbotham | Neville |
| Adwell | Culver | Hill | Owen (Baldwin) |
| Agee | Dobbs | Hobbie | Owens (W) |
| Bank | Doss | Hogan | Pearson |
| Bassett | Downing | Holman | Perloff |
| Beck | Drake | House | Sessions |
| Berryman (R) | Edington | Jackson (F) | Shumate |
| Berryman (W) | Ellis | Jackson (T) | Smith (C) |
| Blanton | Fine | Laxson | Snell |
| Bowers | Foshee | Lemley | Snodgrass |
| Brannan | Gafford | Lybrand | Stembridge |
| Brassell | Garrett | Malone | Stubbs |
| Brown | Gloor | Marr | Tuck |
| Burgess | Graham | Mays | Waggoner |
| Burgreen | Grayson | McCorquodale | Weeks |
| Cameron | Hain | McLain | Williams |
| Cherner | Harper | Meade | Wood |
| Collier | Harris | Melton | Wright |
| Collins (C) | Haygood | Merrill | Young |
| Collins (W) | Headley | Money | |

—79

And the bill:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dobbs | Hobbie | Neville |
| Adwell | Doss | Hogan | Owen (Baldwin) |
| Agee | Downing | Holman | Owens (W) |
| Bassett | Drake | House | Pearson |
| Beck | Edington | Jackson (F) | Perloff |
| Berryman (R) | Ellis | Jackson (T) | Sessions |
| Berryman (W) | Fine | Laxson | Shumate |
| Blanton | Foshee | Lemley | Smith (C) |
| Bowers | Gafford | Lybrand | Snell |
| Brannan | Gloor | Malone | Snodgrass |
| Brassell | Graham | Marr | Stembridge |
| Brown | Grayson | Mays | Stubbs |
| Burgess | Hain | McCorquodale | Tuck |
| Burgreen | Harper | McLain | Waggoner |
| Cameron | Harris | Meade | Weeks |
| Collier | Haygood | Meeks | Williams |
| Collins (C) | Headley | Melton | Wood |
| Collins (W) | Higginbotham | Merrill | Wright |
| Cook (Jefferson) | Hill | Money | Young |
| Culver | | | |

—77

And the bill:

H. 197. To provide for compensation of jurors in Russell County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Culver | Hobbie | Neville |
| Adwell | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Bank | Downing | House | Pearson |
| Bassett | Drake | Jackson (F) | Perloff |
| Beck | Edington | Jackson (T) | Sessions |
| Berryman (R) | Ellis | Laxson | Shumate |
| Berryman (W) | Fine | Lemley | Smith (C) |
| Blanton | Foshee | Lybrand | Snell |
| Bowers | Gafford | Malone | Snodgrass |
| Brannan | Gloor | Marr | Stembridge |
| Brassell | Graham | Mathews | Stubbs |
| Brown | Grayson | Mays | Tuck |
| Burgess | Hain | McCorquodale | Waggoner |
| Burgreen | Harper | McLain | Weeks |
| Cameron | Harris | Meade | Williams |
| Collier | Haygood | Meeks | Wood |
| Collins (C) | Headley | Melton | Wright |
| Collins (W) | Higginbotham | Merrill | Young |
| Cook (Jefferson) | Hill | Money | |

—79

And the bill:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|----------------|
| Mr. Speaker | Dill | Hobbie | Owen (Baldwin) |
| Adwell | Dobbs | Hogan | Owens (W) |
| Agee | Doss | Holman | Pearson |
| Bassett | Downing | House | Pennington |
| Beck | Drake | Jackson (F) | Perloff |
| Berryman (R) | Edington | Jackson (T) | Sessions |
| Berryman (W) | Ellis | Laxson | Shumate |
| Blanton | Fine | Lemley | Smith (C) |
| Bowers | Foshee | Lybrand | Snell |
| Brannan | Gafford | Malone | Snodgrass |
| Brassell | Gloor | Marr | Stembridge |
| Brown | Graham | Mathews | Stubbs |
| Burgess | Grayson | Mays | Tuck |
| Burgreen | Hain | McCorquodale | Waggoner |
| Cameron | Harper | McLain | Watkins |
| Cherner | Harris | Meade | Weeks |
| Collier | Haygood | Meeks | Williams |
| Collins (C) | Headley | Melton | Wood |
| Collins (W) | Higginbotham | Merrill | Wright |
| Cook (Jefferson) | Hill | Money | Young |
| Culver | | | |

—81

UNANIMOUS CONSENT GRANTED

Mr. Edington requested unanimous consent to add his name as a co-author of the bill, H. 58, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 58 (with amendment). To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

This bill proposes a constitutional amendment which will authorize the issuance of \$4,000,000 general obligation bonds by the Alabama State Docks Department. The debt service on such issue should be approximately \$300,000. per year from State Docks Fund; however, the full faith and credit of the State would be pledged for the payment thereof.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS & MEANS COMMITTEE

AMENDMENT TO H. B. 58

In Section II of the bill, add at the end of the first paragraph the following:

"However, if no other proposed constitutional amendment is to be submitted for a vote on the day appointed herein, no election shall be held on this proposal on such day. In such event the Alabama State Docks Department, notwithstanding any other provisions of this amendment, shall be authorized to issue its revenue bonds in such amount and manner as may have been authorized by any act enacted by the Legislature at the session at which this amendment was proposed."

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

| | | | |
|--------------|---------------|--------------|----------------|
| Mr. Speaker | Collins (C) | Haygood | Mathews |
| Adwell | Collins (W) | Headley | Mays |
| Agee | Cook (Coffee) | Higginbotham | McCorquodale |
| Bassett | Culver | Hill | McLain |
| Beck | Doss | Hobbie | Meade |
| Berryman (R) | Downing | Hogan | Meeks |
| Berryman (W) | Edington | Holman | Melton |
| Blanton | Ellis | House | Merrill |
| Bowers | Foshee | Jackson (F) | Money |
| Brannan | Gafford | Jackson (T) | Neville |
| Brassell | Garrett | Kilgore | Owen (Baldwin) |
| Brown | Gloor | Laxson | Owens (W) |
| Burgess | Graham | Lemley | Pearson |
| Burgreen | Grayson | Lybrand | Pennington |
| Cameron | Hain | Malone | Perloff |
| Cherner | Harper | Manley | Pruitt |
| Collier | Harris | Marr | Sessions |

| | | | |
|-----------|------------|----------|----------|
| Shumate | Starnes | Tuck | Williams |
| Smith (C) | Stembridge | Waggoner | Wood |
| Snodgrass | Stubbs | Watkins | Wright |
| Springer | Thomas | Weeks | Young |

—84

And said bill, H. 58, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pearson |
| Adwell | Downing | Jackson (T) | Pennington |
| Agee | Edington | Kilgore | Perloff |
| Bassett | Ellis | Laxson | Pruitt |
| Beck | Foshee | Lemley | Sessions |
| Berryman (R) | Gafford | Lybrand | Shumate |
| Berryman (W) | Garrett | Malone | Smith (C) |
| Blanton | Gloor | Manley | Snodgrass |
| Bowers | Graham | Marr | Springer |
| Brannan | Grayson | Mathews | Starnes |
| Brassell | Hain | Mays | Stembridge |
| Brown | Harper | McCorquodale | Stubbs |
| Burgess | Harris | McLain | Thomas |
| Burgreen | Haygood | Meade | Tuck |
| Cameron | Headley | Meeks | Waggoner |
| Cherner | Higginbotham | Melton | Watkins |
| Collier | Hill | Merrill | Weeks |
| Collins (C) | Hobbie | Money | Williams |
| Collins (W) | Hogan | Neville | Wood |
| Cook (Coffee) | Holman | Owen (Baldwin) | Wright |
| Culver | House | Owens (W) | Young |

—84

And the bill:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought

to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

This bill authorizes the Alabama State Docks Department to issue \$4,000,000. in revenue bonds. The debt service on such an issue should be approximately \$300,000. per annum payable from State Docks Funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Perloff |
| Adwell | Downing | Kilgore | Pruitt |
| Agee | Edgington | Laxson | Sessions |
| Bank | Ellis | Lemley | Shumate |
| Bassett | Fine | Lybrand | Smith (C) |
| Beck | Foshee | Malone | Snell |
| Berryman (R) | Gafford | Manley | Snodgrass |
| Berryman (W) | Gloor | Marr | Springer |
| Blanton | Graham | Mathews | Starnes |
| Bowers | Grayson | Mays | Stembridge |
| Brannan | Hain | McCorquodale | Stubbs |
| Brassell | Harper | Meade | Thomas |
| Brown | Harris | Meeks | Tuck |
| Burgess | Haygood | Melton | Waggoner |
| Burgreen | Headley | Merrill | Watkins |
| Cameron | Higginbotham | Money | Weeks |
| Cherner | Hill | Neville | Williams |
| Collier | Hobbie | Owen (Baldwin) | Wood |
| Collins (C) | Holman | Owens (W) | Wright |
| Collins (W) | House | Pearson | Young |
| Culver | Jackson (F) | Pennington | |

—83

And the bill:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

This bill provides for \$10,000,000.00 bond issue by Alabama Corrections Institution Finance Authority. Debt service requires approximately \$800,000.00 per year.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Agee | Edington | Kilgore | Pruitt |
| Bank | Ellis | Laxson | Sessions |
| Bassett | Fine | Lemley | Shumate |
| Beck | Foshee | Lybrand | Smith (C) |
| Berryman (R) | Gafford | Malone | Snell |
| Berryman (W) | Garrett | Manley | Snodgrass |
| Blanton | Gloor | Marr | Springer |
| Bowers | Graham | Mathews | Starnes |
| Brannan | Grayson | Mays | Steagall |
| Brassell | Hain | McCorquodale | Stembridge |
| Brown | Harper | McLain | Stubbs |
| Burgess | Harris | Meade | Thomas |
| Burgreen | Haygood | Meeks | Tuck |
| Cameron | Headley | Melton | Waggoner |
| Cherner | Higginbotham | Merrill | Watkins |
| Collier | Hill | Money | Weeks |
| Collins (W) | Hobbie | Neville | Williams |
| Cook (Coffee) | Hogan | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Holman | Owens (W) | Wright |
| Culver | House | Pearson | Young |
| Dobbs | | | |

—89

And the bill:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

This bill appropriates \$10,000.00 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | House | Pearson |
| Adwell | Downing | Jackson (F) | Pennington |
| Agee | Edington | Jackson (T) | Perloff |
| Bank | Ellis | Kilgore | Sessions |
| Bassett | Fine | Laxson | Shumate |
| Beck | Foshee | Lemley | Smith (C) |
| Berryman (R) | Gafford | Lybrand | Snell |
| Berryman (W) | Garrett | Malone | Snodgrass |
| Blanton | Gloor | Manley | Springer |
| Bowers | Graham | Marr | Starnes |
| Brannan | Grayson | Mays | Stembridge |
| Brassell | Hain | McCorquodale | Stubbs |
| Burgess | Harper | McLain | Thomas |
| Burgreen | Harris | Meade | Tuck |
| Cameron | Haygood | Meeks | Waggoner |
| Collier | Headley | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Weeks |
| Cook (Coffee) | Hill | Money | Williams |
| Cook (Jefferson) | Hobbie | Neville | Wood |
| Culver | Hogan | Owen (Baldwin) | Wright |
| Dobbs | Holman | Owens (W) | Young |

—84

And the bill:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

This bill provides salary for the Executive Assistant to the Attorney General equal to merit system Attorney III.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | House | Pearson |
| Adwell | Downing | Jackson (F) | Pennington |
| Agee | Edington | Jackson (T) | Perloff |
| Bank | Ellis | Kilgore | Sessions |
| Bassett | Fine | Laxson | Shumate |
| Beck | Foshee | Lemley | Smith (C) |
| Berryman (R) | Gafford | Lybrand | Snell |
| Berryman (W) | Garrett | Malone | Snodgrass |
| Blanton | Gloor | Marr | Springer |
| Bowers | Graham | Mathews | Starnes |
| Brannan | Grayson | Mays | Stembridge |
| Brassell | Hain | McCorquodale | Stubbs |
| Brown | Harper | McLain | Thomas |
| Burgess | Harris | Meade | Tuck |
| Burgreen | Haygood | Meeks | Waggoner |
| Cameron | Headley | Melton | Watkins |
| Collier | Higginbotham | Merrill | Weeks |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Culver | Holman | Owens (W) | Young |
| Dill | | | |

—85

And the bill:

S. 16. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

This bill appropriates \$25,000 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 85; Nays 1.

Yeas:

| | | | |
|--------------|------------------|--------------|-------------|
| Mr. Speaker | Burgess | Fine | Hill |
| Adwell | Burgreen | Foshee | Hobbie |
| Agee | Cameron | Gafford | Hogan |
| Bank | Collier | Garrett | Holman |
| Bassett | Collins (W) | Gloor | House |
| Beck | Cook (Coffee) | Graham | Jackson (F) |
| Berryman (R) | Cook (Jefferson) | Grayson | Jackson (T) |
| Berryman (W) | Culver | Hain | Kilgore |
| Blanton | Dill | Harper | Laxson |
| Bowers | Doss | Harris | Lemley |
| Brannan | Downing | Haygood | Lybrand |
| Brassell | Drake | Headley | Malone |
| Brown | Edington | Higginbotham | Manley |

| | | | |
|--------------|----------------|------------|----------|
| Marr | Money | Sessions | Thomas |
| Mathews | Neville | Shumate | Tuck |
| Mays | Owen (Baldwin) | Smith (C) | Waggoner |
| McCorquodale | Owens (W) | Snodgrass | Weeks |
| McLain | Pearson | Springer | Williams |
| Meade | Pennington | Starnes | Wood |
| Meeks | Perloff | Stembridge | Wright |
| Melton | Pruitt | Stubbs | Young |
| Merrill | | | |

—85

Nay: Mr. Watkins

—1

And the bill:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

This bill appropriates \$2,800 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Hogan | Pearson |
| Adwell | Dobbs | Holman | Pennington |
| Agee | Doss | House | Perloff |
| Bank | Downing | Jackson (F) | Sessions |
| Bassett | Edington | Jackson (T) | Shumate |
| Beck | Ellis | Kilgore | Smith (C) |
| Berryman (R) | Fine | Laxson | Snell |
| Berryman (W) | Foshee | Lemley | Snodgrass |
| Blanton | Gafford | Lybrand | Springer |
| Bowers | Garrett | Malone | Starnes |
| Brannan | Gloor | Manley | Stembridge |
| Brassell | Graham | Marr | Stubbs |
| Brown | Grayson | Mays | Thomas |
| Burgess | Hain | McCorquodale | Tuck |
| Burgreen | Harper | Meade | Waggoner |
| Cameron | Harris | Melton | Watkins |
| Collier | Haygood | Merrill | Weeks |
| Collins (C) | Headley | Money | Williams |
| Collins (W) | Higginbotham | Neville | Wood |
| Cook (Coffee) | Hill | Owen (Baldwin) | Wright |
| Cook (Jefferson) | Hobbie | Owens (W) | Young |
| Culver | | | |

—85

And the bill:

S. 19. To make an additional appropriation to the Agricultural Center Board.

This bill appropriates \$9,980 from the General Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

| | | | |
|-------------|---------|--------------|----------|
| Mr. Speaker | Bank | Berryman (R) | Bowers |
| Adwell | Bassett | Berryman (W) | Brannan |
| Agee | Beck | Blanton | Brassell |

| | | | |
|------------------|--------------|--------------|------------|
| Brown | Foshee | Laxson | Perloff |
| Burgess | Garrett | Lemley | Sessions |
| Burgreen | Gloor | Lybrand | Shumate |
| Cameron | Graham | Malone | Smith (C) |
| Cherner | Grayson | Manley | Snell |
| Collier | Hain | Marr | Snodgrass |
| Collins (C) | Harper | Mathews | Springer |
| Collins (W) | Harris | Mays | Starnes |
| Cook (Coffee) | Haygood | McCorquodale | Stembridge |
| Cook (Jefferson) | Headley | McLain | Stubbs |
| Culver | Higginbotham | Meade | Thomas |
| Dill | Hill | Meeks | Tuck |
| Dobbs | Hobbie | Melton | Waggoner |
| Doss | Hogan | Merrill | Watkins |
| Downing | Holman | Money | Weeks |
| Drake | House | Neville | Williams |
| Edington | Jackson (F) | Owens (W) | Wood |
| Ellis | Jackson (T) | Pearson | Wright |
| Fine | Kilgore | Pennington | Young |

—88

And the bill:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

This bill makes an additional appropriation in the amount of \$12,000. from the Milk Control Board Fund for the fiscal year ending September 30, 1967, to pay expenses of the Ad Hoc Milk Committee and other expenses of the Board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nay 1.

Yeas:

| | | | |
|---------------|------------------|----------------|------------|
| Mr. Speaker | Cook (Jefferson) | Holman | Pearson |
| Adwell | Culver | House | Pennington |
| Agee | Dill | Jackson (F) | Perloff |
| Bank | Dobbs | Jackson (T) | Pruitt |
| Bassett | Doss | Laxson | Sessions |
| Beck | Downing | Lemley | Shumate |
| Berryman (R) | Edington | Lybrand | Smith (C) |
| Berryman (W) | Ellis | Malone | Snodgrass |
| Blanton | Fine | Manley | Springer |
| Bowers | Foshee | Marr | Starnes |
| Brannan | Graham | Mays | Stembridge |
| Brassell | Grayson | McCorquodale | Stubbs |
| Brown | Hain | McDonald | Thomas |
| Burgess | Harper | McLain | Tuck |
| Burgreen | Harris | Meade | Waggoner |
| Cameron | Haygood | Meeks | Weeks |
| Cherner | Headley | Melton | Williams |
| Collier | Higginbotham | Merrill | Wood |
| Collins (C) | Hill | Owen (Baldwin) | Wright |
| Collins (W) | Hobbie | Owens (W) | Young |
| Cook (Coffee) | Hogan | | |

—82

Nay: Mr. Gloor

—1

And the bill:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

This bill does not make an appropriation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Hogan | Owens (W) |
| Adwell | Dobbs | Holman | Pearson |
| Agee | Doss | House | Pennington |
| Bank | Downing | Jackson (F) | Perloff |
| Bassett | Drake | Jackson (T) | Pruitt |
| Beck | Edington | Kilgore | Sessions |
| Berryman (R) | Ellis | Lemley | Shumate |
| Berryman (W) | Fine | Lybrand | Smith (C) |
| Blanton | Foshee | Malone | Snell |
| Bowers | Gafford | Manley | Snodgrass |
| Brannan | Garrett | Marr | Springer |
| Brassell | Gloor | Mays | Starnes |
| Brown | Graham | McCorquodale | Stembridge |
| Burgess | Grayson | McDonald | Stubbs |
| Burgreen | Hain | McLain | Thomas |
| Cameron | Harper | Meade | Tuck |
| Cherner | Harris | Meeks | Waggoner |
| Collier | Haygood | Melton | Weeks |
| Collins (C) | Headley | Merrill | Williams |
| Collins (W) | Higginbotham | Money | Wood |
| Cook (Coffee) | Hill | Neville | Wright |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Young |
| Culver | | | |

—89

And the bill:

H. 145. To make an additional appropriation for the expenses of the Court of Appeals.

This bill makes an additional appropriation in the amount of \$4,000. from the State General Fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|---------------|------------------|--------------|
| Mr. Speaker | Brannan | Cook (Jefferson) | Gafford |
| Adwell | Brassell | Dill | Garrett |
| Agee | Brown | Dobbs | Gloor |
| Bank | Burgess | Doss | Graham |
| Bassett | Burgreen | Downing | Grayson |
| Beck | Cameron | Drake | Harper |
| Berryman (R) | Collier | Edington | Harris |
| Berryman (W) | Collins (C) | Ellis | Haygood |
| Blanton | Collins (W) | Fine | Headley |
| Bowers | Cook (Coffee) | Foshee | Higginbotham |

| | | | |
|-------------|--------------|----------------|------------|
| Hill | Marr | Owen (Baldwin) | Springer |
| Hobbie | Mays | Owens (W) | Starnes |
| Hogan | McCorquodale | Pearson | Stembridge |
| Holman | McDonald | Pennington | Stubbs |
| Jackson (F) | McLain | Perloff | Thomas |
| Jackson (T) | Meade | Pruitt | Tuck |
| Kilgore | Meeks | Sessions | Waggoner |
| Laxson | Melton | Shumate | Weeks |
| Lemley | Merrill | Smith (C) | Williams |
| Lybrand | Money | Snell | Wood |
| Malone | Neville | Snodgrass | Wright |
| Manley | | | |

—85

MOTION TO RECONSIDER

The motion of Mr. Mathews to reconsider the vote by which the bill, H. 182, was passed, was adopted.

H. 182 RECONSIDERED

H. 182. To apply only in counties having populations of not less than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Was again taken up.

Mr. Mathews offered the following substitute for the bill, H. 182:

A BILL
TO BE ENTITLED
AN ACT

To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of more than 10,800, according to the most recent federal decennial census, the court of county commissioners, board of revenue, or other like governing body of the county may make provisions for coverage of county officers and employees and their dependents by health, accident, hospitalization, surgical, medical, and life insurance, and the cost thereof or the premiums thereon shall be paid by the county, from any funds in the county treasury not otherwise appropriated.

Section 2. This Act shall take effect immediately and shall have retroactive effect.

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

| | | | |
|--------------|----------|------------------|-----------|
| Mr. Speaker | Blanton | Collier | Downing |
| Adwell | Bowers | Collins (W) | Drake |
| Agee | Brannan | Cook (Coffee) | Edgington |
| Bank | Brassell | Cook (Jefferson) | Ellis |
| Bassett | Brown | Culver | Fine |
| Beck | Burgess | Dill | Foshee |
| Berryman (R) | Burgreen | Dobbs | Gafford |
| Berryman (W) | Cameron | Doss | Graham |

| | | | |
|--------------|--------------|----------------|-----------|
| Hain | Kilgore | Melton | Snell |
| Harper | Laxson | Merrill | Snodgrass |
| Harris | Lemley | Owen (Baldwin) | Springer |
| Haygood | Lybrand | Owens (W) | Starnes |
| Headley | Manley | Pearson | Tuck |
| Higginbotham | Marr | Pennington | Waggoner |
| Hill | Mays | Perloff | Watkins |
| Hobbie | McCorquodale | Pruitt | Weeks |
| Holman | McDonald | Sessions | Williams |
| House | McLain | Shumate | Wright |
| Jackson (F) | Meade | Smith (C) | Young |
| Jackson (T) | Meeks | | |

—78

And said bill, H. 182, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Hobbie | Pearson |
| Adwell | Dill | Holman | Pennington |
| Agee | Dobbs | House | Perloff |
| Bank | Doss | Jackson (F) | Pruitt |
| Bassett | Downing | Jackson (T) | Sessions |
| Beck | Drake | Kilgore | Shumate |
| Berryman (R) | Edington | Laxson | Smith (C) |
| Berryman (W) | Ellis | Lemley | Snell |
| Blanton | Fine | Lybrand | Snodgrass |
| Bowers | Foshee | Manley | Springer |
| Brannan | Gafford | Marr | Starnes |
| Brassell | Gloor | Mays | Stubbs |
| Brown | Graham | McCorquodale | Tuck |
| Burgess | Hain | McDonald | Waggoner |
| Burgreen | Harper | Meeks | Watkins |
| Cameron | Harris | Melton | Weeks |
| Collier | Haygood | Merrill | Williams |
| Collins (W) | Headley | Owen (Baldwin) | Wright |
| Cook (Coffee) | Higginbotham | Owens (W) | Young |
| Cook (Jefferson) | Hill | | |

—78

UNANIMOUS CONSENT GRANTED

Mr. Williams requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 185, was up for passage. He requested that the Journal show that had he been present he would have voted "yea", and it was so granted.

BILLS ON THIRD READING RESUMED

H. 148 (with substitute). To make an appropriation to the Governor's Committee on the Status of Women.

This bill makes an appropriation in the amount of \$3,000. from the State General Fund for the fiscal year ending September 30, 1967.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation to the Governor's Committee on the Status of Women.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from any funds in the state treasury not otherwise appropriated the sum of \$3,000.00 for the payment of expenses of the Governor's Committee on the Status of Women for the fiscal year ending September 30, 1967.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 80; Nay 1.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Holman | Pearson |
| Adwell | Dill | House | Pennington |
| Agee | Dobbs | Jackson (T) | Perloff |
| Bank | Doss | Kilgore | Pruitt |
| Bassett | Downing | Laxson | Sessions |
| Beck | Drake | Lemley | Shumate |
| Berryman (R) | Edington | Lybrand | Smith (C) |
| Berryman (W) | Ellis | Malone | Snell |
| Blanton | Fine | Manley | Snodgrass |
| Bowers | Foshee | Mathews | Springer |
| Brannan | Gloor | Mays | Starnes |
| Brassell | Graham | McCorquodale | Stubbs |
| Brown | Hain | McDonald | Thomas |
| Burgess | Harper | McLain | Tuck |
| Burgreen | Harris | Meade | Waggoner |
| Cameron | Headley | Meeks | Watkins |
| Collier | Higginbotham | Melton | Weeks |
| Collins (C) | Hill | Merrill | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wright |
| Cook (Jefferson) | Hogan | Owens (W) | Young |

—80

Nay: Mr. Collins (W)

—1

And said bill, H. 148, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nay 1.

Yeas:

| | | | |
|--------------|---------------|------------------|---------|
| Mr. Speaker | Bowers | Cook (Jefferson) | Fine |
| Adwell | Brannan | Culver | Foshee |
| Agee | Brassell | Dill | Gafford |
| Bank | Brown | Dobbs | Garrett |
| Bassett | Burgreen | Doss | Gloor |
| Beck | Cameron | Downing | Graham |
| Berryman (R) | Collier | Drake | Hain |
| Berryman (W) | Collins (C) | Edington | Harper |
| Blanton | Cook (Coffee) | Ellis | Harris |

| | | | |
|--------------|--------------|----------------|----------|
| Haygood | Malone | Owen (Baldwin) | Starnes |
| Headley | Manley | Owens (W) | Stubbs |
| Higginbotham | Mathews | Pearson | Thomas |
| Hill | Mays | Pennington | Tuck |
| Hobbie | McCorquodale | Perloff | Waggoner |
| Holman | McDonald | Pruitt | Watkins |
| House | McLain | Sessions | Weeks |
| Jackson (T) | Meade | Shumate | Williams |
| Kilgore | Meeks | Smith (C) | Wright |
| Laxson | Melton | Snell | Young |
| Lemley | Merrill | Snodgrass | |

—79

Nay: Mr. Collins (W)

—1

And the bill:

H. 155. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

This bill does not affect any state fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Hogan | Owens (W) |
| Adwell | Dobbs | Holman | Pearson |
| Agee | Doss | House | Pennington |
| Bank | Downing | Jackson (T) | Perloff |
| Bassett | Drake | Kilgore | Pruitt |
| Beck | Edington | Laxson | Sessions |
| Berryman (R) | Ellis | Lemley | Shumate |
| Berryman (W) | Fine | Lybrand | Smith (C) |
| Blanton | Foshee | Malone | Snell |
| Bowers | Gafford | Manley | Snodgrass |
| Brannan | Garrett | Marr | Springer |
| Brassell | Gloor | Mathews | Starnes |
| Brown | Graham | Mays | Stembridge |
| Burgess | Grayson | McCorquodale | Stubbs |
| Burgreen | Hain | McDonald | Thomas |
| Cameron | Harper | McLain | Tuck |
| Collier | Harris | Meade | Waggoner |
| Collins (C) | Haygood | Meeks | Watkins |
| Collins (W) | Headley | Melton | Weeks |
| Cook (Coffee) | Higginbotham | Merrill | Williams |
| Cook (Jefferson) | Hill | Neville | Wright |
| Culver | Hobbie | Owen (Baldwin) | Young |

—88

And the bill:

H. 31 (with substitute). To require the operators and riders of certain two-wheel motorized vehicles to wear protective helmets; and to prescribe penalties.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to operate or ride as a passenger upon any motorcycle, motor scooter or any other two wheel motorized vehicle, on a public highway, road or street, while not wearing a protective helmet. It shall be unlawful for any manufacturer of motorcycle helmets to sell or offer for sale motorcycle helmets that fail to comply with the specifications and procedures herein set forth. Hereafter, no person shall be issued a license to operate a motorcycle, motor scooter, or any other two-wheel motorized vehicle upon the public highways and streets in this State unless he proves to the satisfaction of the licensing officer that he is the owner of a protective helmet meeting the specifications and standards herein prescribed.

Section 2. The protective helmet shall meet the following specifications:

A. DESIGN. Specifically designed for motorcycle riders and motorcycle passenger use.

B. EXTERIOR SHELL. A hard exterior shell of non shatterable material, resistant to impact and penetration.

C. CRADLE. A firmly secured shock absorbent cradle for the head designed to support the helmet and maintain separation between the head and outer shell. Materials used in this portion of protective helmet shall be of durable quality and with characteristics that will not undergo appreciable alteration under the influence of aging, or of the circumstances of use to which the helmet is normally subjected. Materials commonly known to cause skin irritation or disease shall not be used for these parts of the assembly which come in contact with the skin.

D. PADDING. Impact-resistant, absorbent padding or cushioning material of substantial thickness in all areas where the head is in close proximity with or may contact the outer shell.

E. CHIN STRAP. A permanently attached adjustable chin strap that will hold the helmet securely in place. A rider must at all times, while motorized vehicle is in motion, have chin strap firmly in place on or under chin.

F. VISOR. Not required, but if the helmet is so equipped the visor must be flexible or snap on type; however, no external projections shall be more than $\frac{1}{4}$ inch above surface of exterior shell.

Section 3. The manufacturers of motorcycle helmets for sale in Alabama after the enactment of this Act into law shall meet the following specifications and comply with the following procedures:

A. All protective helmets shall be required to meet minimum regulations of the USA Standards set forth in Z-90 regulations of 1966.

B. Procedure for securing approval: A manufacturer desiring to secure approval of a protective helmet shall submit to the Director of Public Safety, State of Alabama, Montgomery, Alabama 36104, postage prepaid, a test report certified as required in Z-90 basic standards, together with a sample of the helmet for which approval is sought. The Director may contract with the American Association of Motor Vehicle Administrators in conducting testing procedures and the giving of approval of helmets submitted.

C. If, after receipt of the test report from an independent testing laboratory, the Director of Public Safety finds that the helmet meets the requirements, notice of approval of the helmet will be issued.

D. Each protective helmet approved by the Director of Public Safety shall be labelled on the outside of the helmet above the base of the rear of the helmet with letters or numbers at least one quarter inch ($\frac{1}{4}$ ") in height, with the manufacturer's trade name and model number of name, which shall be the same as name or number under which the helmet has been approved.

Section 4. Any person or manufacturer who shall violate any provision of this Act shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$1.00, nor more than \$100.00, and may be imprisoned in the county jail or sentenced to hard labor for not more than 180 days, one or both. Each violation of any provision of the Act shall constitute a separate offense.

Section 5. It shall be a misdemeanor for the parent or guardian to knowingly permit or allow any juvenile to operate or ride a vehicle covered in Section 1 of this Act while not wearing a protective helmet as herein described, which shall be punished as provided in Section 4 of this Act.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective 180 days following its enactment.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Collier | Graham | Lemley |
| Adwell | Collins (W) | Grayson | Malone |
| Agee | Cook (Coffee) | Hain | Manley |
| Bank | Cook (Jefferson) | Harper | Marr |
| Bassett | Culver | Harris | Mathews |
| Beck | Dill | Haygood | Mays |
| Berryman (R) | Dobbs | Headley | McCorquodale |
| Berryman (W) | Doss | Higginbotham | McDonald |
| Blanton | Downing | Hill | McLain |
| Bowers | Drake | Hobbie | Meade |
| Brannan | Edington | Hogan | Meeks |
| Brassell | Ellis | Holman | Melton |
| Brown | Fine | House | Merrill |
| Burgess | Gafford | Jackson (T) | Neville |
| Burgreen | Garrett | Kilgore | Owen (Baldwin) |
| Cherner | Gloor | Laxson | Owens (W) |

| | | | |
|------------|-----------|------------|----------|
| Pearson | Smith (C) | Stembridge | Watkins |
| Pennington | Snell | Stubbs | Weeks |
| Perloff | Snodgrass | Thomas | Williams |
| Pruitt | Springer | Tuck | Wright |
| Sessions | Starnes | Waggoner | Young |
| Shumate | | | |

—85

And said bill, H. 31, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Holman | Owens (W) |
| Adwell | Doss | House | Pearson |
| Agee | Downing | Jackson (F) | Pennington |
| Bank | Drake | Jackson (T) | Perloff |
| Bassett | Edington | Kilgore | Pruitt |
| Beck | Ellis | Laxson | Sessions |
| Berryman (R) | Fine | Lemley | Shumate |
| Berryman (W) | Foshee | Lybrand | Smith (C) |
| Blanton | Gafford | Malone | Snell |
| Bowers | Garrett | Manley | Snodgrass |
| Brannan | Gloor | Marr | Springer |
| Brown | Graham | Mathews | Starnes |
| Burgess | Grayson | Mays | Stembridge |
| Burgreen | Hain | McCorquodale | Stubbs |
| Cherner | Harper | McDonald | Thomas |
| Collier | Harris | McLain | Tuck |
| Collins (C) | Haygood | Meade | Waggoner |
| Collins (W) | Headley | Meeks | Watkins |
| Cook (Coffee) | Higginbotham | Melton | Weeks |
| Cook (Jefferson) | Hill | Merrill | Williams |
| Culver | Hobbie | Neville | Wright |
| Dill | Hogan | Owen (Baldwin) | Young |

—88

UNANIMOUS CONSENTS GRANTED

Mr. Ellis requested unanimous consent to add his name as a co-author of the bill, H. 31, as amended, and it was so granted.

Mr. Grayson requested unanimous consent to add his name as a co-author of the bill, H. 78, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|------------------|
| Mr. Speaker | Berryman (R) | Burgess | Collins (C) |
| Adwell | Berryman (W) | Burgreen | Collins (W) |
| Agee | Blanton | Cameron | Cook (Coffee) |
| Bassett | Brannan | Cherner | Cook (Jefferson) |
| Beck | Brassell | Collier | Culver |

| | | | |
|----------|--------------|----------------|------------|
| Dill | Haygood | Marr | Smith (C) |
| Dobbs | Headley | Mathews | Snell |
| Doss | Higginbotham | Mays | Snodgrass |
| Downing | Hill | McCorquodale | Springer |
| Drake | Hobbie | McLain | Starnes |
| Edington | Hogan | Meade | Stembridge |
| Ellis | Holman | Meeks | Stubbs |
| Fine | House | Melton | Thomas |
| Foshee | Jackson (F) | Merrill | Tuck |
| Gafford | Jackson (T) | Owen (Baldwin) | Waggoner |
| Garrett | Kilgore | Owens (W) | Watkins |
| Gloor | Laxson | Pearson | Weeks |
| Grayson | Lemley | Pennington | Williams |
| Hain | Lybrand | Perloff | Wood |
| Harper | Malone | Pruitt | Wright |
| Harris | Manley | Sessions | Young |

—84

And the bill:

H. 147. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 11.

Yeas:

| | | | |
|------------------|--------------|-------------|------------|
| Mr. Speaker | Culver | House | Pennington |
| Adwell | Dobbs | Jackson (F) | Perloff |
| Agee | Doss | Jackson (T) | Pruitt |
| Bank | Downing | Kilgore | Sessions |
| Bassett | Drake | Laxson | Shumate |
| Beck | Edington | Lemley | Smith (C) |
| Berryman (R) | Ellis | Lybrand | Snell |
| Berryman (W) | Fine | Malone | Snodgrass |
| Blanton | Gloor | Manley | Starnes |
| Bowers | Graham | Marr | Stubbs |
| Brannan | Grayson | Mays | Thomas |
| Brassell | Hain | McDonald | Waggoner |
| Burgess | Harper | McLain | Watkins |
| Burgreen | Harris | Meade | Weeks |
| Cameron | Haygood | Melton | Williams |
| Collins (C) | Higginbotham | Merrill | Wood |
| Collins (W) | Hill | Neville | Wright |
| Cook (Coffee) | Hogan | Owens (W) | Young |
| Cook (Jefferson) | Holman | | |

—74

Nays:

| | | | |
|----------|---------|--------------|----------|
| Messrs.: | Garrett | Mathews | Pearson |
| Brown | Headley | McCorquodale | Springer |
| Foshee | Hobbie | Meeks | Tuck |

—11

And the bill:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 3.

Yeas:

| | | | |
|------------------|----------|-------------|----------------|
| Mr. Speaker | Dill | Hogan | Owen (Baldwin) |
| Adwell | Dobbs | Holman | Owens (W) |
| Bank | Doss | House | Pearson |
| Bassett | Downing | Jackson (F) | Pennington |
| Beck | Drake | Jackson (T) | Perloff |
| Berryman (R) | Edington | Kilgore | Pruitt |
| Berryman (W) | Ellis | Laxson | Shumate |
| Blanton | Fine | Lemley | Smith (C) |
| Bowers | Foshee | Lybrand | Snell |
| Brannan | Gloor | Malone | Snodgrass |
| Brassell | Graham | Marr | Springer |
| Burgess | Grayson | Mays | Starnes |
| Burgreen | Hain | McLain | Waggoner |
| Cameron | Harper | Meade | Weeks |
| Collier | Harris | Meeks | Williams |
| Collins (W) | Haygood | Melton | Wood |
| Cook (Coffee) | Headley | Merrill | Wright |
| Cook (Jefferson) | Hill | Neville | Young |
| Culver | Hobbie | | |

—74

Nays: Messrs. Garrett, McCorquodale and Tuck

—3

And the bill:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|------------------|
| Mr. Speaker | Berryman (R) | Brown | Collins (W) |
| Adwell | Berryman (W) | Burgess | Cook (Coffee) |
| Agee | Blanton | Burgreen | Cook (Jefferson) |
| Bank | Bowers | Cameron | Culver |
| Bassett | Brannan | Cherner | Dill |
| Beck | Brassell | Collier | Dobbs |

| | | | |
|---------|--------------|----------------|------------|
| Doss | Headley | Mays | Sessions |
| Downing | Higginbotham | McCorquodale | Smith (C) |
| Drake | Hill | McLain | Snell |
| Ellis | Hobbie | Meade | Snodgrass |
| Fine | Holman | Meeks | Springer |
| Foshee | House | Melton | Starnes |
| Garrett | Jackson (F) | Merrill | Stembridge |
| Gloor | Jackson (T) | Neville | Stubbs |
| Graham | Kilgore | Owen (Baldwin) | Waggoner |
| Grayson | Laxson | Owens (W) | Weeks |
| Hain | Lemley | Pearson | Williams |
| Harper | Lybrand | Pennington | Wood |
| Harris | Malone | Perloff | Wright |
| Haygood | Marr | Pruitt | Young |

—80

And the bill:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

It is estimated that this bill will decrease the State General Fund by approximately \$185,408.64 per year.

Was read a third time at length and lost.

Yeas 31; Nays 43.

Yeas:

| | | | |
|--------------|---------------|--------------|------------|
| Mr. Speaker | Cook (Coffee) | Jackson (F) | Pearson |
| Agee | Culver | Lemley | Pennington |
| Beck | Drake | Manley | Smith (C) |
| Berryman (R) | Edington | Marr | Snell |
| Brannan | Fine | Mathews | Starnes |
| Brassell | Foshee | McCorquodale | Stembridge |
| Burgreen | Hain | McDonald | Tuck |
| Collier | Harper | McLain | |

—31

Nays:

| | | | |
|------------------|---------|-------------|-----------|
| Messrs.: | Dobbs | Headley | Melton |
| Bassett | Doss | Hill | Merrill |
| Berryman (W) | Downing | Hobbie | Neville |
| Blanton | Ellis | House | Owens (W) |
| Brown | Gafford | Jackson (T) | Shumate |
| Burgess | Garrett | Kilgore | Snodgrass |
| Cameron | Gloor | Laxson | Springer |
| Cherner | Graham | Lybrand | Stubbs |
| Collins (C) | Grayson | Malone | Waggoner |
| Cook (Jefferson) | Harris | Mays | Watkins |
| Dill | Haygood | Meeks | Weeks |

—43

And the bill:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jackson (F) | Pearson |
| Adwell | Drake | Jackson (T) | Pennington |
| Agee | Ellis | Kilgore | Perloff |
| Bank | Fine | Laxson | Pruitt |
| Bassett | Foshee | Lemley | Sessions |
| Beck | Garrett | Lybrand | Shumate |
| Berryman (R) | Gloor | Malone | Smith (C) |
| Berryman (W) | Graham | Manley | Snodgrass |
| Brannan | Grayson | Marr | Starnes |
| Brassell | Hain | Mathews | Stembridge |
| Burgess | Harper | Mays | Stubbs |
| Burgreen | Harris | McDonald | Tuck |
| Cameron | Haygood | McLain | Waggoner |
| Collier | Headley | Meade | Watkins |
| Collins (C) | Higginbotham | Meeks | Weeks |
| Collins (W) | Hill | Melton | Williams |
| Cook (Jefferson) | Hobbie | Merrill | Wood |
| Culver | Hogan | Neville | Wright |
| Dill | Holman | Owen (Baldwin) | Young |
| Dobbs | House | Owens (W) | |

—79

And the bill:

H. 170. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

Was taken up.

Mr. Garrett offered the following amendment to the bill, H. 170:

Amend H. B. 170 by striking therefrom the whole of Section 2 and insert in lieu thereof the following:

"Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the Regular Session of the Legislature of Alabama of 1967. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Brown | Dobbs | Grayson |
| Adwell | Burgess | Downing | Harper |
| Bank | Burgreen | Drake | Harris |
| Bassett | Cameron | Edington | Haygood |
| Beck | Collier | Ellis | Headley |
| Berryman (R) | Collins (C) | Fine | Higginbotham |
| Berryman (W) | Collins (W) | Foshee | Hill |
| Blanton | Cook (Jefferson) | Garrett | Hobbie |
| Brannan | Culver | Gloor | Hogan |
| Brassell | Dill | Graham | Holman |

| | | | |
|-------------|----------------|------------|------------|
| House | Mays | Pearson | Stembridge |
| Jackson (F) | McCorquodale | Pennington | Stubbs |
| Jackson (T) | McDonald | Perloff | Thomas |
| Kilgore | McLain | Pruitt | Tuck |
| Laxson | Meade | Sessions | Watkins |
| Lemley | Meeks | Shumate | Weeks |
| Lybrand | Melton | Smith (C) | Williams |
| Malone | Merrill | Snell | Wood |
| Manley | Neville | Snodgrass | Wright |
| Marr | Owen (Baldwin) | Springer | Young |
| Mathews | Owens (W) | Starnes | |

—83

And said bill, H. 170, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nay 1.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pearson |
| Adwell | Dobbs | Jackson (F) | Perloff |
| Agee | Downing | Jackson (T) | Pruitt |
| Bassett | Drake | Kilgore | Sessions |
| Beck | Edington | Laxson | Shumate |
| Berryman (R) | Ellis | Lemley | Smith (C) |
| Berryman (W) | Fine | Lybrand | Snell |
| Blanton | Foshee | Malone | Springer |
| Bowers | Garrett | Manley | Starnes |
| Brannan | Gloor | Marr | Stembridge |
| Brassell | Graham | Mathews | Stubbs |
| Brown | Grayson | Mays | Thomas |
| Burgess | Harper | McCorquodale | Tuck |
| Burgreen | Harris | McDonald | Waggoner |
| Cameron | Haygood | McLain | Watkins |
| Cherner | Headley | Meade | Weeks |
| Collier | Higginbotham | Meeks | Williams |
| Collins (C) | Hill | Melton | Wood |
| Collins (W) | Hobbie | Merrill | Wright |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Young |
| Culver | Holman | Owens (W) | |

—83

Nay: Mr. Neville

—1

And the bill:

H. 120 (with amendment). To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Strike the whole of Section 2 of the bill and insert in lieu thereof the following:

“Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the Regular Session of the Legislature of

Alabama of 1967. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | House | Pearson |
| Adwell | Downing | Jackson (F) | Perloff |
| Bank | Drake | Jackson (T) | Pruitt |
| Bassett | Edington | Kilgore | Sessions |
| Beck | Ellis | Laxson | Shumate |
| Berryman (R) | Fine | Lemley | Smith (C) |
| Berryman (W) | Foshee | Lybrand | Snodgrass |
| Blanton | Gloor | Malone | Springer |
| Brannan | Graham | Manley | Starnes |
| Brassell | Grayson | Marr | Stubbs |
| Burgess | Hain | Mathews | Thomas |
| Burgreen | Harper | Mays | Tuck |
| Cameron | Harris | McLain | Waggoner |
| Collier | Haygood | Meade | Watkins |
| Collins (C) | Headley | Meeks | Weeks |
| Collins (W) | Higginbotham | Melton | Williams |
| Cook (Jefferson) | Hill | Merrill | Wood |
| Culver | Hobbie | Neville | Wright |
| Dill | Hogan | Owen (Baldwin) | Young |
| Dobbs | Holman | Owens (W) | |

—79

And said bill, H. 120, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jackson (F) | Pennington |
| Adwell | Drake | Jackson (T) | Perloff |
| Agee | Edington | Kilgore | Pruitt |
| Bank | Ellis | Laxson | Sessions |
| Bassett | Fine | Lemley | Shumate |
| Beck | Foshee | Lybrand | Smith (C) |
| Berryman (R) | Gloor | Malone | Snell |
| Berryman (W) | Graham | Manley | Snodgrass |
| Blanton | Grayson | Marr | Springer |
| Brannan | Harper | Mays | Starnes |
| Brassell | Harris | McDonald | Stubbs |
| Burgess | Haygood | McLain | Thomas |
| Cameron | Headley | Meade | Tuck |
| Collier | Higginbotham | Meeks | Waggoner |
| Collins (W) | Hill | Melton | Weeks |
| Cook (Jefferson) | Hobbie | Merrill | Williams |
| Culver | Hogan | Owen (Baldwin) | Wood |
| Dill | Holman | Owens (W) | Wright |
| Dobbs | House | Pearson | Young |
| Doss | | | |

—77

And the bill:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Agee | Drake | Kilgore | Pruitt |
| Bank | Edington | Laxson | Sessions |
| Bassett | Ellis | Lemley | Shumate |
| Beck | Fine | Lybrand | Smith (C) |
| Berryman (R) | Foshee | Manley | Snell |
| Berryman (W) | Garrett | Marr | Snodgrass |
| Blanton | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Stubbs |
| Burgess | Hain | McLain | Thomas |
| Burgreen | Harper | Meade | Tuck |
| Cameron | Harris | Meeks | Waggoner |
| Collier | Haygood | Melton | Watkins |
| Collins (C) | Headley | Merrill | Weeks |
| Collins (W) | Higginbotham | Neville | Williams |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Culver | Hogan | Owens (W) | Wright |
| Dill | Holman | Pearson | Young |
| Dobbs | House | | |

—82

And the bill:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|-------------|--------------|--------------|----------|
| Mr. Speaker | Bassett | Berryman (W) | Brassell |
| Adwell | Beck | Blanton | Burgess |
| Agee | Berryman (R) | Brannan | Burgreen |

| | | | |
|------------------|--------------|----------------|-----------|
| Cameron | Grayson | Lybrand | Perloff |
| Collier | Hain | Malone | Pruitt |
| Collins (W) | Harper | Manley | Sessions |
| Cook (Jefferson) | Harris | Marr | Shumate |
| Culver | Haygood | Mays | Smith (C) |
| Dill | Headley | McCorquodale | Snell |
| Dobbs | Higginbotham | McDonald | Snodgrass |
| Doss | Hill | McLain | Springer |
| Downing | Hobbie | Meade | Stubbs |
| Drake | Hogan | Meeks | Thomas |
| Edington | Holman | Melton | Tuck |
| Ellis | House | Merrill | Waggoner |
| Fine | Jackson (F) | Neville | Watkins |
| Foshee | Jackson (T) | Owen (Baldwin) | Williams |
| Gafford | Kilgore | Owens (W) | Wood |
| Garrett | Laxson | Pearson | Wright |
| Gloor | Lemley | Pennington | Young |
| Graham | | | |

—81

COMMITTEE APPOINTED

In accordance with the provisions of House Joint Resolution No. 9 heretofore adopted, the Speaker appointed as a committee on the part of the House Messrs. Edington and Owen.

ADJOURNMENT

On motion of Mr. Bank the House adjourned until Thursday, March 30, 1967, at six-thirty o'clock P. M.

Yeas 59; Nays 22.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Mr. Speaker | Dill | Haygood | Owens (W) |
| Bank | Dobbs | Headley | Perloff |
| Beck | Doss | Higginbotham | Sessions |
| Berryman (R) | Downing | Holman | Shumate |
| Berryman (W) | Drake | House | Springer |
| Blanton | Edington | Jackson (F) | Starnes |
| Brassell | Fine | Jackson (T) | Stubbs |
| Brown | Foshee | Kilgore | Thomas |
| Burgess | Gafford | Laxson | Tuck |
| Burgreen | Garrett | Lybrand | Waggoner |
| Cherner | Gloor | Malone | Williams |
| Collier | Graham | McLain | Wood |
| Collins (C) | Grayson | Meade | Wright |
| Cook (Jefferson) | Hain | Melton | Young |
| Culver | Harper | Merrill | |

—59

Nays:

| | | | |
|-------------|--------|--------------|------------|
| Messrs.: | Ellis | Marr | Neville |
| Agee | Harris | Mathews | Pennington |
| Bassett | Hill | Mays | Pruitt |
| Bowers | Hobbie | McCorquodale | Snodgrass |
| Cameron | Lemley | McDonald | Watkins |
| Collins (W) | Manley | Meeks | |

—22

SIXTEENTH DAY

House of Representatives

Montgomery, Alabama

Thursday, March 30, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pennington |
| Adwell | Doss | Kilgore | Perloff |
| Agee | Downing | Laxson | Pruitt |
| Bank | Drake | Lemley | Sessions |
| Bassett | Ellis | Lybrand | Shumate |
| Beck | Fine | Malone | Slate |
| Berryman (R) | Foshee | Manley | Smith (C) |
| Berryman (W) | Gafford | Marr | Smith (P) |
| Blanton | Garrett | Mathews | Snell |
| Bolton | Gloor | Mays | Springer |
| Bowers | Graham | McCorquodale | Starnes |
| Brannan | Grayson | McDonald | Steagall |
| Brassell | Hain | McElhaney | Stembridge |
| Brown | Hardin | McLain | Stubbs |
| Burgess | Harper | Meade | Thomas |
| Burgreen | Harris | Meeks | Tuck |
| Cameron | Haygood | Melton | Turnham |
| Cherner | Headley | Merrill | Waggoner |
| Collier | Higginbotham | Money | Watkins |
| Collins (C) | Hill | Neville | Weeks |
| Collins (W) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Coffee) | Hogan | Owens (W) | Wood |
| Cook (Jefferson) | Holman | Owens (W.E.) | Wright |
| Crane | House | Paulk | Yeilding |
| Culver | Jackson (F) | Pearson | Young |
| Dill | | | |

—101

A quorum was present.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 58. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 7:30 o'clock today for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED that a Committee of three from the House, to be named by the Speaker of the House and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the

purpose of receiving her message, and that the Committee escort her to the House Chamber.

On motion of Mr. Merrill the rules were suspended and H. J. R. 58 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Fine, Stenbridge and Owen.

MOTION TO RECONSIDER H. 156 POSTPONED

The motion of Mr. Merrill to reconsider the vote by which the bill, H. 156, was lost and to postpone consideration of said motion until the next legislative day was adopted.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Mr. Smith (C), Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 167 (with substitute). To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill and Lybrand:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Local Legislation No. 1.

By Messrs. Merrill and Lybrand:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Local Legislation No. 1.

By Mr. Williams:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Local Legislation No. 1.

By Mr. Williams:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Local Legislation No. 1.

By Mr. Cameron:

H. 210. To provide for transfers from the Juvenile Court to other courts, to set the salary of the Deputy Register of the court, and to provide for expenses for the Judge of said court when attending schools or seminars.

Ways and Means.

By Messrs. Springer, McCorquodale, Fite, Cherner, Culver and Cameron:

H. 211. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

State Administration.

By Messrs. Smith (P) and Bolton:

H. 212. Relating to counties of 65,000 to 95,000 population providing further for the distribution of fines from convictions in certain cases of traffic violations.

Local Legislation No. 1.

BILLS ON THIRD READING

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

| | | | |
|------------------|---------|----------------|-----------|
| Mr. Speaker | Dobbs | Jackson (F) | Pearson |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Lemley | Shumate |
| Berryman (R) | Ellis | Lybrand | Smith (C) |
| Blanton | Fine | Malone | Smith (P) |
| Bowers | Foshee | Manley | Starnes |
| Brannan | Garrett | Marr | Steagall |
| Brassell | Gloor | Mathews | Stubbs |
| Burgreen | Graham | Mays | Tuck |
| Cameron | Grayson | McCorquodale | Turnham |
| Collier | Hain | Meeks | Waggoner |
| Collins (C) | Harper | Melton | Watkins |
| Collins (W) | Harris | Merrill | Williams |
| Cook (Coffee) | Headley | Money | Wood |
| Cook (Jefferson) | Hill | Owen (Baldwin) | Wright |
| Crane | Hobbie | Owens (W) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |
| Dill | House | Paulk | |

—75

And the bill:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|---------|----------------|-----------|
| Mr. Speaker | Doss | House | Perloff |
| Adwell | Downing | Jackson (F) | Pruitt |
| Agee | Drake | Jackson (T) | Sessions |
| Bassett | Ellis | Kilgore | Shumate |
| Berryman (R) | Fine | Lemley | Slate |
| Berryman (W) | Foshee | Lybrand | Smith (C) |
| Blanton | Gafford | Malone | Smith (P) |
| Bowers | Garrett | Manley | Springer |
| Brannan | Gloor | Marr | Starnes |
| Brassell | Graham | Mathews | Steagall |
| Burgess | Grayson | Mays | Stubbs |
| Burgreen | Hain | McCorquodale | Tuck |
| Cameron | Hardin | McDonald | Turnham |
| Cherner | Harper | Meeks | Waggoner |
| Collier | Harris | Merrill | Watkins |
| Collins (W) | Haygood | Money | Williams |
| Cook (Jefferson) | Headley | Owen (Baldwin) | Wood |
| Crane | Hill | Owens (W) | Wright |
| Culver | Hobbie | Owens (W.E.) | Yeilding |
| Dill | Hogan | Paulk | Young |
| Dobbs | Holman | Pearson | |

—83

And the bill:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|---------|----------------|------------|
| Mr. Speaker | Culver | Holman | Pearson |
| Adwell | Dill | House | Perloff |
| Agee | Dobbs | Jackson (F) | Pruitt |
| Bank | Doss | Jackson (T) | Sessions |
| Bassett | Downing | Kilgore | Shumate |
| Berryman (R) | Drake | Lemley | Slate |
| Berryman (W) | Ellis | Lybrand | Smith (C) |
| Blanton | Fine | Malone | Smith (P) |
| Bowers | Foshee | Manley | Steagall |
| Brannan | Gafford | Marr | Stembridge |
| Brassell | Garrett | Mathews | Stubbs |
| Brown | Gloor | Mays | Thomas |
| Burgess | Graham | McCorquodale | Tuck |
| Burgreen | Grayson | McDonald | Turnham |
| Cameron | Hain | Meeks | Waggoner |
| Cherner | Hardin | Melton | Watkins |
| Collier | Harper | Merrill | Williams |
| Collins (C) | Harris | Neville | Wood |
| Collins (W) | Headley | Owen (Baldwin) | Wright |
| Cook (Coffee) | Hill | Owens (W) | Yeilding |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | Young |
| Crane | Hogan | Paulk | |

—87

And the bill:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Perloff |
| Adwell | Downing | Jackson (T) | Pruitt |
| Agee | Drake | Kilgore | Sessions |
| Bassett | Ellis | Lemley | Shumate |
| Berryman (R) | Fine | Lybrand | Slate |
| Berryman (W) | Foshee | Malone | Smith (C) |
| Blanton | Gafford | Manley | Smith (P) |
| Bowers | Garrett | Marr | Springer |
| Brannan | Gloor | Mathews | Starnes |
| Burgess | Graham | Mays | Steagall |
| Burgreen | Grayson | McCorquodale | Stembridge |
| Cameron | Hain | McDonald | Stubbs |
| Cherner | Hardin | Meeks | Tuck |
| Collier | Harper | Melton | Turnham |
| Collins (C) | Harris | Merrill | Waggoner |
| Collins (W) | Headley | Money | Watkins |
| Cook (Coffee) | Higginbotham | Neville | Williams |
| Cook (Jefferson) | Hill | Owen (Baldwin) | Wood |
| Crane | Hobbie | Owens (W) | Wright |
| Culver | Hogan | Owens (W.E.) | Yeilding |
| Dill | Holman | Paulk | Young |
| Dobbs | House | Pearson | |

—87

And the bill:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Holman | Paulk |
| Adwell | Dobbs | House | Pearson |
| Agee | Doss | Jackson (F) | Perloff |
| Bassett | Downing | Jackson (T) | Pruitt |
| Berryman (R) | Drake | Kilgore | Sessions |
| Berryman (W) | Ellis | Lemley | Shumate |
| Blanton | Fine | Lybrand | Slate |
| Bolton | Foshee | Malone | Smith (C) |
| Bowers | Gafford | Manley | Smith (P) |
| Brannan | Garrett | Marr | Starnes |
| Brassell | Gloor | Mathews | Steagall |
| Burgess | Graham | Mays | Stembridge |
| Burgreen | Grayson | McCorquodale | Stubbs |
| Cameron | Hain | Meeks | Tuck |
| Cherner | Hardin | Melton | Turnham |
| Collier | Harper | Merrill | Waggoner |
| Collins (W) | Harris | Money | Watkins |
| Cook (Coffee) | Headley | Neville | Williams |
| Cook (Jefferson) | Higginbotham | Owen (Baldwin) | Wood |
| Crane | Hill | Owens (W) | Wright |
| Culver | Hobbie | Owens (W.E.) | Young |

—84

And the bill:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|------------------|---------|--------------|
| Mr. Speaker | Burgreen | Doss | Hardin |
| Adwell | Cameron | Downing | Harper |
| Agee | Cherner | Drake | Harris |
| Bassett | Collier | Ellis | Headley |
| Berryman (R) | Collins (C) | Fine | Higginbotham |
| Berryman (W) | Collins (W) | Foshee | Hill |
| Blanton | Cook (Coffee) | Gafford | Hobbie |
| Bolton | Cook (Jefferson) | Garrett | Holman |
| Bowers | Crane | Gloor | House |
| Brannan | Culver | Graham | Jackson (F) |
| Brassell | Dill | Grayson | Jackson (T) |
| Burgess | Dobbs | Hain | Kilgore |

| | | | |
|--------------|----------------|-----------|----------|
| Lemley | Merrill | Pruitt | Tuck |
| Lybrand | Money | Sessions | Turnham |
| Malone | Neville | Shumate | Waggoner |
| Manley | Owen (Baldwin) | Slate | Watkins |
| Marr | Owens (W) | Smith (C) | Williams |
| Mathews | Owens (W.E.) | Smith (P) | Wood |
| Mays | Paulk | Starnes | Wright |
| McCorquodale | Pearson | Steagall | Yeilding |
| Meeks | Perloff | Stubbs | Young |
| Melton | | | |

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Also:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Also:

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Also:

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Also:

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Also:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Also:

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Also:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Also:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Also:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Also:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Also:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Also:

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Also:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

Also:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

Also:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Also:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Also:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Also:

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Also:

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

Also:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Also:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Also:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Also:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Also:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Also:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Also:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Also:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Also:

H. 38. Relating to Dale County; providing for the time of closing county offices.

Also:

H. J. R. 38. Expressing regret upon the death of Mr. Richard Murray of Mobile.

Also:

H. J. R. 43. Expressing regret upon the death of Mr. Clyde McRae of Decatur.

Also:

H. J. R. 42. Mourning the death of Mr. Ewell K. Gregg of Morgan County, Alabama.

Also:

H. J. R. 41. Extending sympathy to the families of Linda, Louise and Shirley Paris; Gary Fikes; and Lawson Boatner, Jr. who lost their lives in a freight train accident in Tuscaloosa.

Also:

H. J. R. 40. Recommending the appointment of a legislative committee to investigate the feasibility of purchasing a limousine for the official use of the Governor.

Also:

H. J. R. 9. Proposing a "Tecumseh Committee" to investigate the feasibility of raising the Tecumseh and retaining the ship in Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 58. Relative to a Joint Session of the House and Senate to hear the Message of Honorable Lurleen B. Wallace.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Clark and Turner.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 13. Creating an interim committee to study the federal Highway Safety Act.

Also:

S. J. R. 20. Congratulating the Sidney Lanier High School athletic forces.

Also:

S. J. R. 22. Relative to adjournment of the two Houses of the Legislature.

Also:

S. J. R. 23. Commending Mr. Benny Marshall upon the excellence of his writings.

Also:

S. J. R. 26. Mourning the death of J. Ben Steed.

Also:

S. J. R. 27. Naming the football stadium in Huntsville the Milton Frank Stadium.

Also:

S. J. R. 30. Relative to adjournment of the two Houses of the Legislature.

Also:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

Also:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Also:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Also:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Also:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Also:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing

for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Also:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 8. To make an appropriation to the State Department of Mental Health.

Also:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Merrill the House recessed until 7:30 o'clock this evening.

EVENING SESSION

The hour of 7:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

JOINT SESSION

The hour of seven thirty o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 58 heretofore adopted, for the purpose of

hearing an address by Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama.

The joint session was called to order by the Honorable Albert P. Brewer, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

Her Excellency, Lurleen B. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered in person the following message:

Lieutenant Governor Brewer, Speaker Fite, Attorney General Gallion, Superintendent of Education, Dr. Stone, Members of the Alabama Legislature, Fellow Alabamians:

On other occasions it has been our pleasure to bring a good report to you and to tell you about all the accomplishments which you and the people of Alabama have made in the support of public education in this great State of ours.

All of our people have cooperated in every way to support their schools with the view of making the school system of this State one of the best in the Nation.

We have made great strides in making a good education available for all of our children and it is not necessary at this time to catalogue all of the advancements which have been made over the past four years. Suffice it to say that we together have accomplished a "breakthrough" in every phase of our educational program.

But tonight, as your Governor, I do not have a report of the good things that have happened to our educational program. I come here to report to you concerning an emergency which threatens our State and to counsel with you in meeting this emergency. I want the people of Alabama to know—the people of this country to know—and the people who would attack our children and our institutions to know—that Alabama and its elected officials dare defend our rights.

I would like to say at this point that just yesterday a Federal Court in New Orleans rendered an order which will bring to Texas, Louisiana, Mississippi, Florida and Georgia the conditions which have been imposed on us here in Alabama.

On March 22, a three-judge District Court here in Montgomery issued a writ of injunction against your Governor, your Superintendent of Education and Board of Education, and in effect, against all the people of our State. This order is far-reaching and beyond the law which governs us as a people. It will be appealed.

I want all the people of Alabama to understand what this decree purports to do.

This order takes over every single aspect of the operation of every school system within the State of Alabama—it destroys the authority of local school boards, the State Board of Education, the Superintendent of Education and the Governor. It reduces the constitutionally elected officials of your State to mere agents of the District Court who must execute the commands of three judges who would determine all matters of educational policy.

This order directs the Superintendent of Education in the execution of all of his duties and prohibits action on his part without the consent of the court.

Under the order of March 22, the three-judge court will determine the location of schools, the advisability of consolidating schools, the assignment of pupils, the question of transporting children to school, the hiring, the firing or promotion of teachers, the granting of certificates to teachers, the placement of teachers within a school system and the complete determination of educational policy.

It requires—in every area of Alabama—transferring of students back and forth across town to achieve so-called balance.

It means that white children must have colored teachers and colored children must have white teachers.

It tells what bus a child must ride on and who that child must ride with.

Under the order, the court will close certain schools and send the children to another part of town or to another part of the county.

This order and the New Orleans order of yesterday require the closing of every Negro College, Junior College and Trade School and every all-Negro elementary and secondary school in the State. Under this court order, State funds would be cut off to Alabama State College here in Montgomery unless white students voluntarily agreed to enroll there. The same would be true of the other senior colleges, junior colleges and trade schools—unless white students enrolled there, State funds would be cut off by order of the Court.

Furthermore, this order forces white children to go to all-Negro schools and Negro students to go to predominantly white schools.

There is no law to force students to attend senior colleges, junior colleges and trade schools. The only way to force students to attend elementary and junior high school is to put their parents in jail.

We in Alabama will not put parents in jail for this reason—and we cannot and will not deprive our Negro children and college students of an education by closing all Negro schools, senior colleges, junior colleges and trade schools.

If they are closed, the Federal Courts will have to close them.

This is a decree with which compliance is a physical impossibility. As one large daily newspaper has stated, and incidentally it has opposed us politically, the carrying out of the decree would endanger the life and health and safety—and the future education of the children of our State—all the children. I do not believe that I can allow this to happen without an effort to counteract its effect—I do not believe that you will.

I want you to know that this court decree touches every area of this State. The following school systems in Alabama have been ordered to submit plans for the massive re-assignment and transfer of children and teachers within twelve days from this night:

Alexander City
Anniston
Attalla
Autauga County
Bibb County
Brewton
Calhoun County
Chambers County
Chilton County
Clay County
Coffee County

Andalusia
Athens
Auburn
Baldwin County
Blount County
Butler County
Carbon Hill
Cherokee County
Clarke County
Cleburne County
Colbert County

Conecuh County
 Covington County
 Cullman County
 Daleville
 Decatur
 Demopolis
 Elba
 Enterprise
 Etowah County
 Fayette County
 Florence
 Franklin County
 Greene County
 Houston County
 Jacksonville
 Lamar County
 Lauderdale County
 Limestone County
 Marengo County
 Marion County
 Monroe County
 Mountain Brook
 Oneonta
 Opp
 Phenix City
 Piedmont
 Randolph County
 Russell County
 St. Clair County
 Selma
 Shelby County
 Sylacauga
 Tallapoosa County
 Tallassee
 Thomasville
 Tuscaloosa
 Tuscumbia
 Washington County
 Winston County

Coosa County
 Cullman
 Dale County
 Dallas County
 DeKalb County
 Dothan
 Elmore County
 Escambia County
 Eufaula
 Florala
 Fort Payne
 Geneva County
 Henry County
 Jackson County
 Jasper
 Lanett
 Lee County
 Linden
 Marion
 Marshall County
 Morgan County
 Muscle Shoals
 Opelika
 Ozark
 Pickens County
 Pike County
 Roanoke
 Russellville
 Scottsboro
 Sheffield
 Sumter County
 Talladega
 Talladega County
 Tarrant
 Troy
 Tuscaloosa County
 Walker County
 Winfield

In addition, the other nineteen systems of our State will be brought under the provisions of the order. These include:

Fairfield
 Huntsville
 Montgomery City & County
 Bullock County
 Crenshaw County
 Jefferson County
 Lowndes County
 Madison County

Gadsden
 Mobile City & County
 Barbour County
 Choctaw County
 Hale County
 Lawrence County
 Macon County

Under this decree, no person, including teachers and parents, is free to discuss the order of the court other than to express approval thereof. Any open expression of disapproval subjects the individual to contempt—thus to a jail sentence without benefit of trial by jury.

This is a dangerous doctrine which would deprive our citizens and our teachers of their freedom of speech. No institution can survive if this freedom is destroyed. This decree which forces school officials to, in effect, voice approval of the decree, violates the provisions of our Federal Constitution and of our own State Constitution.

Educators are constantly expressing their beliefs in academic freedom—that is, the right to freedom of expression of particular views in the classroom. This decree not only would interfere with the right of a teacher to express a belief concerning the decree, but would require that the teachers say that the decree is good.

The court does authorize the use of a so-called “freedom of choice” plan, but says it must work. What the court means is that a “freedom of choice” plan does not work unless you obtain balance in each and every school system.

The judges issue the threat to have your elected public officials coerce local school boards and cut off State funds to any of our public schools and State colleges which fail to abide by their interpretations.

This court order was rendered in malice and animosity—malice against a free people who would exercise their sovereign power through the accent of Washington, Jefferson, Madison and Monroe, of Patrick Henry, George Mason and a host of others—animosity against a leadership expressed by Alabamians—through my husband—which begins to bring this Nation to a moment of truth.

There is a higher power than this three-man court and it finds itself in the power given by the people to their elected officials. This is the police power of a state—the right of state government to take whatever action which may be necessary to protect the morals, health and welfare of its citizens—the peace and tranquility of its people.

The State—any state—has the right—the solemn obligation—to take action to protect its citizens.

This is the highest law. It is above the individual and it is above the right of a three-judge federal District Court. As a matter of fact, the Constitution gives the United States no police power.

We are bound in this State and in this Nation to the law. We have and we must obey the law. But we do not have to take actions beyond the law. And let this be understood, too: Federal judges are not beyond the law.

The Constitution was never intended to grant to three judges the right to make the law, judge the law and, then, themselves execute the law.

You and I have a standard of courage which must not wilt in the face of concerted attacks—which must not falter in its dedication to principle and to doing whatever may be necessary to fulfill our duty.

We must resist this decree in every way possible—and use not only our best efforts, but the efforts of all Alabamians.

I, therefore, ask you to resolve yourselves into a committee of the whole, and that you call as witnesses our University Presidents, Junior College Presidents and Trade School Directors, School Superintendents, School Board members, principals, teachers and others from all fields of education—as well as parents and representatives from educational associations.

We must if necessary invoke the police power of this State.

I ask you, in the event a stay is not granted, or an appeal be unsuccessful, to consider placing in the Governor of the State of Alabama or in the Governor and the Legislature all powers heretofore vested by the Alabama Legislature in the State Superintendent of Education, including, but not limited to, supervisory control with regard to our various local boards of education.

In this case, the local school boards, the State colleges and the junior colleges and trade schools were judged without their day in Court. They have not been treated fairly. They were not given an opportunity in the federal court to defend themselves. They were judged guilty without evidence—this is star chamber justice and is repugnant to the American system.

The proposed committee of the whole would afford them an opportunity to present their case and you an opportunity to determine whether this legislation is warranted.

I ask you to determine what additional action may be required.

I also ask you to issue, as an exercise of the police power of this State, a cease and desist order, to be delivered and served upon the three federal judges who have issued this unfounded decree, advising them that their actions are beyond the police power of the State of Alabama.

I ask you to consider whether additional State Troopers may be required in order that the children of our State be protected.

If you will join me and take the recommended action, we together, will go forward with a firm determination to win this battle, day by day, inch by inch and decree by decree, all within the law.

And this is not inconsistent with the words of President Andrew Jackson to Chief Justice of the Supreme Court John Marshall. To paraphrase: They have made their decree, now let them enforce it.

What ever need be done will be done.

Alabama is not the battlefield—the entire Nation is the battlefield. Alabama must win this fight—for if she loses—America loses. Tonight, I ask the elected officials of our sister states to join us; but let it be understood: if we stand alone, we will go alone.

As a mother, my heart is filled with compassion for all the children of our State. As a mother, I understand as do the other mothers of this State what they are attempting to do to our children. This is the final step toward a complete takeover of their hearts and minds—this is what Hitler did in Germany.

I have no power of action as a mother, but as Governor I have not only the power, but the duty. I will do my duty.

I intend, with your help, to exercise this power in such a manner as to defend our children against unlawful and immoral actions from whatever source.

This court order is calculated to destroy the school system of Alabama. Those who are responsible for it are not interested in our children nor their welfare and never have been. I am serving notice that whatever power I possess under the Constitution of Alabama as Governor of Alabama shall be used to prevent the destruction of our public school system and they better understand what the people of Alabama mean.

I repeat—they had better understand what the people of Alabama mean.

We shall never quit and we shall win for we do, indeed, dare defend our rights.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 7:20 P. M. On March 30, 1967:

H. B. 4
H. B. 5
H. B. 17
H. B. 27
H. B. 28
H. B. 29
H. B. 32
H. B. 30
H. B. 33
H. B. 35
H. B. 36
H. B. 37
H. B. 39
H. B. 44
H. B. 45
H. B. 46
H. B. 81
H. B. 61
H. B. 2
H. B. 64
H. B. 19
H. B. 20
H. B. 21
H. B. 22
H. B. 76
H. B. 72
H. B. 73
H. B. 74
H. B. 107
H. B. 113
H. B. 99
H. B. 114
H. B. 98
H. B. 38

H. J. R. 38
 H. J. R. 43
 H. J. R. 42
 H. J. R. 41
 H. J. R. 40
 H. J. R. 9

JOHN W. PEMBERTON,
 Clerk.

ADJOURNMENT

On motion of Mr. House the House adjourned until Tuesday, April 4, 1967, at twelve o'clock, noon.

SEVENTEENTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, April 4, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Mr. Gus Young, member of the House of Representatives from Randolph County, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Pennington |
| Adwell | Downing | Jones | Perloff |
| Agee | Drake | Kilgore | Pruitt |
| Bank | Edington | Laxson | Sessions |
| Bassett | Ellis | Lemley | Shumate |
| Beck | Fine | Lybrand | Slate |
| Berryman (R) | Foshee | Malone | Smith (C) |
| Berryman (W) | Gafford | Manley | Smith (P) |
| Blanton | Garrett | Marr | Snell |
| Bowers | Gloor | Mathews | Snodgrass |
| Brannan | Graham | Mays | Springer |
| Brassell | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgess | Hardin | McElhaney | Stembridge |
| Burgreen | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Thomas |
| Cherner | Haygood | Meeks | Tuck |
| Collier | Headley | Melton | Turnham |
| Collins (C) | Higginbotham | Merrill | Waggoner |
| Collins (W) | Hill | Money | Watkins |
| Cook (Coffee) | Hobbie | Neville | Weeks |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Williams |
| Crane | Holladay | Owens (W) | Wood |
| Crawford | Holman | Owens (W.E.) | Wright |
| Culver | House | Paulk | Yelding |
| Dill | Jackson (F) | Pearson | Young |
| Dobbs | | | |

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 211. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Lybrand and Burgess:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Local Legislation No. 1.

By Messrs. Meade and Beck:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Local Legislation No. 1.

By Messrs. Crawford, Stenbridge and Turnham:

H. 215. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

Health.

By Mr. Jackson (Jefferson):

H. 216. To amend Section 11 of Act No. 175, S. 280, Regular Session 1951, an act providing for and authorizing municipalities to provide for incorporation of a board for the purpose of owning, operating and financing a waterworks plant and system, and for other purposes (Acts 1950-1951, v. 1, pp 416, 424), so as to provide that such corporation shall be subject to regulations by the Public Service Commission.

Judiciary.

By Messrs. McDonald, Starnes, Williams, Beck, Meade, Cook (Coffee), Hill, Haygood, Jones, Money, Snodgrass, Laxson, McLain and Pennington:

H. 217. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes, provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be

secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Local Government.

By Messrs. Turnham, Crawford and Bassett:

H. 218. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Education.

UNANIMOUS CONSENT GRANTED

No objection being offered the request of Mr. Ellis that his name be added as a co-author of the bill, H. 218, was granted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Fite, Bowers, Pennington, Downing, Owen, Tuck, Grayson, Marr, Smith (C), Young, Collins (W), Wood, Collins (C), Edington, Bank, Weeks, Kilgore, Culver, Thomas, Holman, Adwell, House, Waggoner, Cook (Jefferson), Sessions, Meeks, Dill, Yelding, Crane, Dobbs, Shumate and Pruitt:

H. J. R. 59. WHEREAS, the development of the Tennessee-Tombigbee Waterway project has been an item of interest and concern of both the state and federal governments for a number of years; and

WHEREAS, reports and evaluations of the desirability and economic feasibility of such project have been undertaken and returned with favorable results; and

WHEREAS, the construction and development of such project will entail expenditure of \$316,000,000 or more and will provide a navigable route that will serve to connect the Gulf Coast and the Port of Mobile with the Tennessee Valley and the ten-thousand mile mid-continental inland waterways' system and will result in further stimulus to the industrial growth and development of this state and area; and

WHEREAS, pre-construction planning money has been approved by the Congress of the United States which will be utilized for advanced engineering and design of such project; and

WHEREAS, the beginning of construction at the earliest practicable date is now contingent upon the State of Alabama agreeing to provide and meet its share of the cost involved in such project by agreeing, through its own agencies or local interests, to construct, maintain and operate all highway bridges; construct and maintain all highway relocations or alterations; make and maintain alterations as required in sewer, water supply and drainage facilities; assume the cost of operation and maintenance of utility crossings; and provide and maintain, as required, suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers, as such items are related to this project; and

WHEREAS, it is in the economic interest of this state to participate in such project along with the States of Mississippi, Tennessee and Kentucky and to expedite the development and construction of the needed facilities,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that this Legislature does hereby agree and does assure the United States government, through the United States Army Corps of Engineers, that the State of Alabama will, through its own agencies or other local interests, construct, maintain and operate all highway bridges; construct and maintain all highway relocations or alterations; make and maintain alterations as required in sewer, water supply and drainage facilities; assume the cost of operation and maintenance of utility crossings; and provide and maintain, as required, suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers, as such items are related to this project and further, at the appropriate time and if required, that any necessary legislation will be prepared, introduced and adopted to carry into effect the assurances here given.

BE IT FURTHER RESOLVED that a copy of this resolution be furnished the United States Army Corps of Engineers, the Tennessee-Tombigbee Waterway Development Authority and the appropriate agencies of the States of Mississippi, Tennessee and Kentucky.

On motion of Mr. Downing the rules were suspended and H. J. R. 59 was adopted.

Also:

By Messrs. Weeks, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Harper, Harris, Haygood, Headley, Higginbotham, Hobbie, Holman, House, Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McElhaney, Meade, Meeks, Melton, Merrill, Money, Neville, Owen, Owens (W), Pearson, Pennington, Pruitt, Sessions, Shumate, Slate, Smith (C), Snell, Snodgrass, Springer, Starnes, Steagall, Stembridge, Stubbs, Thomas, Waggoner, Williams, Wood, Wright, Yeilding and Young.

H. J. R. 60. WHEREAS figures, compiled by the Department of Defense for the fiscal year 1966, show that of the 4,873 servicemen who lost their lives in the fight for freedom in Vietnam during the period, 20.4 percent were buried in national cemeteries. Many more would probably have also been buried in a national cemetery had there been space available near the home of next of kin; and

WHEREAS over the past three years there has been a determined effort on the part of some federal agencies to sharply curtail or eliminate altogether further provisions for national cemeteries. The Bureau of the Budget has stated unequivocally, "We continue to believe that expansion of the national cemetery is undesirable. The Administration firmly believes that funeral benefits now paid by the Veterans Administration and under Social Security are far preferable to the furnishing of interment facilities by the Government. Legislation to this end would not be in accord with the program of the President"; and

WHEREAS present day burial expenses are sufficiently high without placing on the veteran's and serviceman's dependent the added cost of purchasing a burial plot; and

WHEREAS the burial allowances of the Veterans Administration and that provided under Social Security are far too meager to provide for the last rites of most veterans and servicemen; and

WHEREAS the Department of the Army has advised Congress that, "The Administration has determined that it is opposed to any further expansion of the present national cemetery system with the exception of Arlington National Cemetery;" and

WHEREAS it is evident that the present Administration is determined to end the national cemetery system just as soon as present facilities are exhausted. This procedure is a rank departure from the long-time precedent that veterans who have served their nation in time of war are entitled to burial sites provided by the United States government; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge the Congress of the United States to take such action as necessary to forestall the present plans of the Bureau of the Budget and the Administration, and to oppose the position of the Department of Defense which supports the Administration's policy of no further expansion of the national cemetery system, with the exception of the Arlington National Cemetery, as many national cemeteries have already exhausted available space and several others are scheduled for closing this year; and

BE IT FURTHER RESOLVED, That the Department of Defense be requested to establish an adequate and permanent national cemetery system to make national cemeteries available with burial spaces for all U. S. military servicemen and women who are entitled to the same, and wish to be interred there; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the secretary of the United States Senate, and chief clerk of the United States House of Representatives and to The Honorable Lyndon B. Johnson, President of the United States; The Honorable Robert S. McNamara, Secretary of Defense; The Honorable Charles L. Schultz, Director, Bureau of the Budget; and each member of the Alabama delegation in the United States Congress.

On motion of Mr. Weeks the rules were suspended and H. J. R. 60 was adopted.

Also:

By Mr. Merrill:

H. J. R. 61. WHEREAS, it is the policy of the State of Alabama to foster and promote the education of its citizens in a manner and extent consistent with its available resources, and the willingness and ability of the individual student, and

WHEREAS, the Legislature, while recognizing this duty, also recognizes that there is no right to public education at public expense, and

WHEREAS, the Legislature has the right and the duty, in furthering or providing for education, to require or impose conditions or procedures deemed necessary to the preservation of peace and order, and

WHEREAS, the Legislature may provide for the election by parents and guardians of the schools their children will attend, to avoid confusion and disorder and to promote effective and economical planning for education, and

WHEREAS, as a result of two recent decisions by Federal Courts, the school system of the State of Alabama will be placed in serious jeopardy, and

WHEREAS, our Governor, Her Excellency Lurleen B. Wallace has requested that the Legislature hold public hearings on this question to determine the future of public education in Alabama, and

WHEREAS, the Legislature deems it necessary to hold public hearings and to call upon leading educators, public officials, parents, and other experts to testify regarding the emergency situation which presently exists regarding public education in the State of Alabama, and

WHEREAS, the emergency is of such magnitude that it is deemed wise that these hearings should be conducted by the entire Legislature meeting as a committee,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that the Legislature convene as a committee to conduct public hearings upon the call of the Lieutenant Governor of the State of Alabama, who shall act as chairman and that the Legislature invite to testify before the Committee the State Superintendent of Education, the Presidents of the State's institutions of Higher learning, the directors of Trade Schools, Local superintendents of education and board members, interested citizens and members of educational associations.

BE IT FURTHER RESOLVED that said hearings be transcribed and that the Lieutenant Governor, Speaker of the House and four other members from each House as may be selected by the Lieutenant Governor and the Speaker of the House respectively shall be appointed to act as Committee Counsel, without additional remuneration, and that the Lieutenant Governor, the Speaker of the House and the members selected by them to act as counsel shall be the only persons with authority to question any witness, but other members may direct questions to be propounded to the witness to said Lieutenant Governor, the Speaker of the House and those selected by them to act as Counsel and such Counsel may propound any such question to the witness. Any member of the Legislature, however, may make any statement he desires, if recognized by the Chairman of the Committee.

BE IT FURTHER RESOLVED that the Attorney General of the State of Alabama be invited to attend these hearings and to offer his counsel and assistance to the Committee.

On motion of Mr. Merrill the rules were suspended and H. J. R. 61 was adopted.

Also:

By Mr. Merrill:

H. J. R. 62. WHEREAS, the Honorable MacDonald Gallion, Attorney General of the State of Alabama, is calling upon the Attorneys

General of the States of Texas, Louisiana, Mississippi, Georgia, and Florida to come to Montgomery and discuss the impact of the recent decision of the Fifth Circuit Court of Appeals compelling "balance" in the school systems of the respective States, and to discuss the possibility of the various States joining in an appeal of said case to the Supreme Court of the United States, and

WHEREAS, the Legislature of the State of Alabama is hopeful that the Attorneys General of the States of Texas, Louisiana, Mississippi, Georgia, and Florida will respond to the call of the Attorney General of Alabama to discuss this emergency situation,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that Attorney General MacDonald Gallion is hereby commended for inviting the Attorneys General to the State of Alabama.

BE IT FURTHER RESOLVED that the Legislature does hereby invite said Attorneys General to appear before a committee of the Legislature studying the effect of this decision on the schools of Alabama and to testify before said committee if they so desire.

On motion of Mr. Merrill the rules were suspended and H. J. R. 62 was adopted.

RECESS

On motion of Mr. House the House recessed for fifteen minutes.

The House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING

RECONSIDERATION OF H. 156

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

It is estimated that this bill will decrease the State General Fund by approximately \$185,408.64 per year.

Was again taken up.

The question was then on the motion of Mr. Merrill to reconsider the vote by which the bill, H. 156, was lost, and said motion was adopted.

And said bill, H. 156, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 7.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Brown | Doss | Harper |
| Adwell | Burgess | Downing | Haygood |
| Agee | Burgreen | Drake | Headley |
| Bank | Cherner | Edington | Higginbotham |
| Bassett | Collier | Ellis | Hill |
| Beck | Collins (W) | Fine | Hobbie |
| Berryman (R) | Cook (Coffee) | Foshee | Holladay |
| Berryman (W) | Cook (Jefferson) | Gafford | Holman |
| Blanton | Crawford | Gloor | House |
| Bowers | Culver | Grayson | Jackson (F) |
| Brannan | Dill | Hain | Jackson (T) |
| Brassell | Dobbs | Hardin | Jones |

| | | | |
|--------------|----------------|------------|----------|
| Kilgore | McElhaney | Pruitt | Stubbs |
| Laxson | McLain | Sessions | Thomas |
| Lemley | Meade | Shumate | Tuck |
| Lybrand | Melton | Slate | Turnham |
| Malone | Merrill | Smith (C) | Waggoner |
| Manley | Money | Smith (P) | Weeks |
| Marr | Owen (Baldwin) | Snell | Williams |
| Mathews | Owens (W.E.) | Snodgrass | Wood |
| Mays | Pearson | Starnes | Wright |
| McCorquodale | Pennington | Steagall | Yeilding |
| McDonald | Perloff | Stembridge | Young |

—92

Nays:

| | | | |
|----------|---------|--------|-----------|
| Messrs.: | Garrett | Harris | Owens (W) |
| Crane | Graham | Meeks | Springer |

—7

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Owen to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 3, was adopted.

PASSAGE OF H. 3

And the bill:

H. 3 (with substitute). To appropriate from the State General Fund the sum of Fifty Thousand Dollars (\$50,000.00) to the State Building Commission to be used for additional construction and equipping of a public fishing pier at Gulf State Park.

This bill authorizes the Director of Conservation to transfer a sum not exceeding \$50,000.00 from the Bureau of Outdoor Recreation monies to the State Building Commission for the construction of a fishing pier at Gulf State Park.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS COMMITTEE SUBSTITUTE FOR H. B. 3

A BILL TO BE ENTITLED AN ACT

Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The Director of Conservation is hereby authorized to expend from any Federally refunded Bureau of Outdoor Recreation monies heretofore or hereafter received from completed capital improve-

ment projects a sum not exceeding fifty thousand dollars (\$50,000.00) for additional construction and equipping of the public fishing pier at Gulf State Park. The Director of Conservation is further authorized to transfer such money not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission with the construction and equipping work to be performed by said agency.

Section 2. The appropriation herein authorized and the transfer of such funds under this Act shall be made at the discretion of the Director of Conservation dependent upon the amount and availability of the monies refunded by the Bureau of Outdoor Recreation for completed capital improvement projects.

Section 3. The monies herein authorized and appropriated for additional construction and equipping of the pier at Gulf State Park is in addition to all other monies heretofore appropriated for such project.

Section 4. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 95; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | Jackson (T) | Perloff |
| Adwell | Doss | Kilgore | Pruitt |
| Agee | Downing | Laxson | Sessions |
| Bank | Drake | Lemley | Shumate |
| Bassett | Edington | Lybrand | Slate |
| Beck | Ellis | Malone | Smith (C) |
| Berryman (R) | Fine | Manley | Smith (P) |
| Berryman (W) | Foshee | Marr | Snell |
| Blanton | Gafford | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stubbs |
| Burgess | Hardin | McLain | Thomas |
| Burgreen | Harper | Meade | Tuck |
| Cherner | Harris | Meeks | Turnham |
| Collier | Haygood | Melton | Waggoner |
| Collins (C) | Higginbotham | Merrill | Weeks |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Neville | Wood |
| Cook (Jefferson) | Holladay | Owen (Baldwin) | Wright |
| Crane | Holman | Owens (W) | Yeilding |
| Culver | House | Owens (W.E.) | Young |
| Dill | Jackson (F) | Pennington | |

—95

And said bill, H. 3, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

| | | | |
|-------------|---------|--------------|----------|
| Mr. Speaker | Bank | Berryman (R) | Bowers |
| Adwell | Bassett | Berryman (W) | Brannan |
| Agee | Beck | Blanton | Brassell |

| | | | |
|------------------|--------------|----------------|-----------|
| Brown | Garrett | Lybrand | Shumate |
| Burgess | Gloor | Malone | Slate |
| Burgreen | Graham | Manley | Smith (C) |
| Cameron | Grayson | Marr | Smith (P) |
| Collier | Hain | Mathews | Snell |
| Collins (C) | Hardin | Mays | Snodgrass |
| Collins (W) | Harper | McCorquodale | Springer |
| Cook (Coffee) | Harris | McDonald | Starnes |
| Cook (Jefferson) | Haygood | McElhaneey | Steagall |
| Crane | Higginbotham | McLain | Stubbs |
| Culver | Hill | Meade | Thomas |
| Dill | Hobbie | Meeks | Tuck |
| Dobbs | Holladay | Melton | Turnham |
| Doss | Holman | Merrill | Waggoner |
| Downing | House | Money | Weeks |
| Drake | Jackson (F) | Owen (Baldwin) | Williams |
| Edington | Jackson (T) | Owens (W) | Wood |
| Ellis | Jones | Owens (W.E.) | Wright |
| Fine | Kilgore | Pennington | Yeilding |
| Foshee | Laxson | Perloff | Young |
| Gafford | Lemley | Pruitt | |

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UNANIMOUS CONSENTS GRANTED

Messrs. Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Brannan, Brassell, Brown, Burgreen, Cameron, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Graham, Grayson, Hardin, Harper, Harris, Haygood, Hobbie, Holman, House, Jackson (F), Jackson (T), Kilgore, Laxson, Lemley, Malone, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaneey, McLain, Meade, Melton, Merrill, Money, Owens (W), Owens (W.E.), Perloff, Shumate, Slate, Smith (C), Snell, Snodgrass, Springer, Starnes, Stubbs, Thomas, Turnham, Waggoner, Weeks, Williams, Wood, Wright and Young requested unanimous consent to add their names as co-authors of the bill, H3, as amended, and it was so granted.

Mr. Neville requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 156, was up for passage. He requested that the Journal show that had he been present he would have voted "yea".

RESOLUTIONS

The following resolutions were introduced:

By Mr. McDonald:

H. J. R. 63. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Joint Interim Committee created pursuant to Senate Joint Resolution 3, Special Session, 1966, be and the same is hereby granted an extension of time in which to file its detailed report of its findings to the Alabama Legislature and the Committee shall continue until such time as it has completed its detailed technical study; provided, however, interim reports are hereby authorized and directed to be submitted to the Legislature pending completion of the final report.

On motion of Mr. McDonald the rules were suspended and H. J. R. 63 was adopted.

Also:

By Mr. McDonald:

H. R. 64. WHEREAS, important constitutional questions are presented by House Bill No. 217, a copy of which is attached hereto, now pending in the Legislature of Alabama:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided by Section 34 of Title 13 of the Code of Alabama of 1940 on the following important constitutional questions:

(1) Does the bill contain more than one subject in violation of Section 45 of the Constitution?

(2) Is the subject of the bill clearly expressed in its title, as required by Section 45 of the Constitution?

(3) Does the bill violate Section 222 of the Constitution by authorizing the issuance of bonds without an election of the qualified voters of the municipality, the governing body of which has authorized the organization of a public corporation, as contemplated by said bill?

(4) Does the bill violate Section 225 of the Constitution by authorizing the issuance of bonds and other securities without regard to the limitation of indebtedness prescribed by said Section 225?

(5) Does the bill violate the provisions of Section 93 of the Constitution?

(6) Does the bill violate the provisions of Section 94 of the Constitution?

(7) Do the provisions of the bill authorizing the acquisition, financing, ownership, leasing or granting of permits or concessions with respect to so-called public accommodation facilities as therein defined violate Section 93 of the Constitution?

(8) Do the provisions of the bill authorizing the acquisition, financing, ownership, leasing or granting of permits or concessions with respect to so-called public accommodation facilities as therein defined violate Section 94 of the Constitution?

On motion of Mr. McDonald the rules were suspended and H. R. 64 was adopted.

H. 152 POSTPONED

On motion of Mr. Dill, consideration of the bill, H. 152, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|--------------|
| Mr. Speaker | Doss | Jackson (F) | Owens (W) |
| Adwell | Downing | Jackson (T) | Owens (W.E.) |
| Bank | Edington | Jones | Pearson |
| Bassett | Ellis | Kilgore | Pennington |
| Beck | Fine | Laxson | Perloff |
| Berryman (W) | Foshee | Lemley | Sessions |
| Bowers | Gafford | Lybrand | Smith (C) |
| Brannan | Garrett | Malone | Smith (P) |
| Brassell | Gloor | Manley | Snodgrass |
| Brown | Graham | Marr | Springer |
| Burgess | Grayson | Mathews | Starnes |
| Cameron | Hain | Mays | Steagall |
| Collier | Hardin | McCorquodale | Stubbs |
| Collins (C) | Harris | McElhaney | Tuck |
| Collins (W) | Haygood | McLain | Turnham |
| Cook (Coffee) | Headley | Meade | Williams |
| Cook (Jefferson) | Higginbotham | Meeks | Wood |
| Crane | Hill | Melton | Wright |
| Crawford | Hobbie | Merrill | Yeilding |
| Culver | Holman | Money | Young |
| Dill | House | Neville | |

—83

And the bill:

H. 167 (with substitute). To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said committee substitute being as follows:

LOCAL LEGISLATION NO. 3 COMMITTEE SUBSTITUTE FOR HB 167

A BILL TO BE ENTITLED AN ACT

To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the police and fire departments of the city (Acts, Special Sessions 1964, p. 326) is hereby amended to read as follows:

"Section 9. (a) The board, created by the Board of Commissioners or other governing body of the City of Mobile to carry out the provisions of this Act, hereinafter referred to as 'the Board,' shall be designated 'The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile.' The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of twenty-one, who

do not hold any salaried office with the City or County of Mobile. One active member of Mobile's police department and one active member of the Mobile fire department shall also serve as members of the Board. The terms of office of members of the Board who are serving when this act of amendment becomes effective shall be the same as fixed under Act No. 359, H. 366, Special Session 1966, approved September 12, 1966. Upon the respective expirations of the extended terms of such members their successors shall be appointed by the Board of Commissioners or other governing body of the City of Mobile in the same manner that the first members of the Board were appointed. They shall hold office for terms of six years and until their successors are appointed, unless sooner removed; however they may be removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for serving as a member thereof.

"(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Four Members of the Board shall constitute a quorum for transaction of business.

"(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

"(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

"(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

"(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

"(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term."

Section 2. Section 27 of said Act No. 243 of 1964 is amended to read as follows:

"Section 27. This Act shall not have retroactive application. The provisions of Section 16 of this Act shall not apply to the widow or the surviving children of a member of the police or fire department who died or retired before October 1, 1964, but this provision shall not apply to widows now receiving a pension under this or any previous Act, and said widow shall continue to receive said pension."

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|---------------|
| Mr. Speaker | Beck | Brannan | Collier |
| Adwell | Berryman (W) | Brassell | Collins (C) |
| Bank | Blanton | Burgess | Collins (W) |
| Bassett | Bowers | Cameron | Cook (Coffee) |

| | | | |
|------------------|--------------|--------------|-----------|
| Cook (Jefferson) | Harris | Manley | Perloff |
| Crane | Haygood | Marr | Sessions |
| Crawford | Headley | Mathews | Smith (C) |
| Culver | Higginbotham | Mays | Smith (P) |
| Dill | Hill | McCorquodale | Snodgrass |
| Doss | Hobbie | McDonald | Springer |
| Downing | Hogan | McElhaney | Starnes |
| Drake | Holladay | McLain | Steagall |
| Edington | Holman | Meade | Stubbs |
| Ellis | House | Meeks | Tuck |
| Fine | Jackson (F) | Melton | Turnham |
| Foshee | Jackson (T) | Merrill | Weeks |
| Gafford | Jones | Money | Williams |
| Gloor | Kilgore | Neville | Wood |
| Graham | Laxson | Owens (W) | Wright |
| Grayson | Lemley | Owens (W.E.) | Yeilding |
| Hain | Lybrand | Pearson | Young |
| Hardin | Malone | Pennington | |

—87

And said bill, H. 167, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|--------------|
| Mr. Speaker | Drake | Jackson (T) | Owens (W.E.) |
| Adwell | Edington | Jones | Pearson |
| Bank | Ellis | Kilgore | Pennington |
| Bassett | Fine | Laxson | Perloff |
| Beck | Foshee | Lemley | Sessions |
| Berryman (W) | Gafford | Lybrand | Smith (C) |
| Bowers | Gloor | Malone | Smith (P) |
| Brannan | Graham | Manley | Snell |
| Brassell | Grayson | Marr | Snodgrass |
| Burgess | Hain | Mathews | Starnes |
| Cameron | Hardin | Mays | Steagall |
| Collier | Harris | McCorquodale | Stembridge |
| Collins (C) | Haygood | McDonald | Stubbs |
| Collins (W) | Headley | McElhaney | Tuck |
| Cook (Coffee) | Higginbotham | McLain | Turnham |
| Cook (Jefferson) | Hill | Meade | Weeks |
| Crane | Hobbie | Meeks | Williams |
| Crawford | Hogan | Melton | Wood |
| Culver | Holladay | Merrill | Wright |
| Dill | Holman | Money | Yeilding |
| Doss | House | Neville | Young |
| Downing | Jackson (F) | Owens (W) | |

—87

UNANIMOUS CONSENTS GRANTED

Messrs. Marr and Downing requested unanimous consent to add their names as co-authors of the bill, H. 167, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate

of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

Was taken up.

Mr. Pruitt offered the following amendment to the bill, H. 176:

In Section 1, second paragraph, strike out the following words and figures:

| (a) For each automobile having the following gross weight in pounds | Amount of License Tax |
|---|-----------------------|
| 0 to 1800 | \$ 8.00 |
| 1801 to 2500 | 12.00 |
| 2501 to 3000 | 15.00 |
| 3001 or more | 18.00 |

and insert in lieu thereof the following:

(a) For each automobile, fifteen dollars (\$15.00);

On motion of Mr. Thomas the amendment offered by Mr. Pruitt was laid upon the table.

Yeas 53; Nays 39.

Yeas:

| | | | |
|------------------|---------|-------------|--------------|
| Messrs.: | Culver | House | Owens (W.E.) |
| Adwell | Dill | Jackson (T) | Perloff |
| Bank | Doss | Jones | Sessions |
| Bowers | Downing | Kilgore | Slate |
| Brassell | Ellis | Laxson | Smith (C) |
| Brown | Gafford | Lybrand | Snodgrass |
| Burgess | Gloor | Malone | Springer |
| Cameron | Grayson | Marr | Thomas |
| Cherner | Harris | McDonald | Waggoner |
| Collins (C) | Haygood | McElhaney | Weeks |
| Collins (W) | Hill | McLain | Wood |
| Cook (Jefferson) | Hobbie | Meeks | Wright |
| Crane | Hogan | Melton | Yeilding |
| Crawford | Holman | | |

—53

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Mays | Pruitt |
| Agee | Foshee | McCorquodale | Snell |
| Bassett | Graham | Meade | Starnes |
| Berryman (R) | Hain | Merrill | Steagall |
| Berryman (W) | Hardin | Money | Stembridge |
| Blanton | Headley | Neville | Stubbs |
| Brannan | Higginbotham | Owen (Baldwin) | Tuck |
| Cook (Coffee) | Jackson (F) | Owens (W) | Williams |
| Drake | Lemley | Pearson | Young |
| Edington | Manley | Pennington | |

—39

Mr. Pruitt offered the following amendment to the bill, H. 176:

In Section 1, second paragraph, strike out the following words and figures:

| (a) For each automobile having the following gross weight in pounds | Amount of License Tax |
|---|-----------------------|
| 0 to 1800 | \$ 8.00 |
| 1801 to 2500 | 12.00 |
| 2501 to 3000 | 15.00 |
| 3001 or more | 18.00 |

and insert in lieu thereof the following:

- (a) For each automobile, thirteen dollars (\$13.00);

H. 176, AND PENDING AMENDMENT POSTPONED

Mr. House moved to postpone further consideration of the bill, H. 176, and pending amendment until the next legislative day.

The substitute motion of Mr. McCorquodale to postpone further consideration of the bill, H. 176, and pending amendment until the twenty-fourth legislative day was lost.

Yeas 21; Nays 72.

Yeas:

| | | | |
|--------------|--------------|-----------|----------|
| Mr. Speaker | Headley | Meade | Steagall |
| Agee | Holladay | Neville | Tuck |
| Berryman (R) | Lemley | Owens (W) | Turnham |
| Collier | Manley | Pruitt | Williams |
| Drake | McCorquodale | Snell | Young |
| Fine | | | |

—21

Nays:

| | | | |
|------------------|----------|-------------|----------------|
| Messrs.: | Culver | Holman | Owen (Baldwin) |
| Adwell | Dill | House | Pearson |
| Bank | Doss | Jackson (T) | Pennington |
| Bassett | Downing | Jones | Perloff |
| Berryman (W) | Edington | Kilgore | Sessions |
| Blanton | Ellis | Laxson | Slate |
| Bowers | Gafford | Lybrand | Smith (C) |
| Brassell | Garrett | Malone | Smith (P) |
| Brown | Gloor | Marr | Snodgrass |
| Burgess | Graham | Mathews | Springer |
| Burgreen | Grayson | Mays | Starnes |
| Cameron | Hain | McDonald | Stembridge |
| Cherner | Hardin | McElhaney | Thomas |
| Collins (C) | Harris | McLain | Waggoner |
| Collins (W) | Haygood | Meeks | Weeks |
| Cook (Coffee) | Hill | Melton | Wood |
| Cook (Jefferson) | Hobbie | Merrill | Wright |
| Crane | Hogan | Money | Yeilding |
| Crawford | | | |

—72

The question was then on the motion of Mr. House to postpone further consideration of the bill, H. 176, and pending amendment until the next legislative day and said motion was adopted.

Yeas 64; Nays 37.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Doss | House | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Bank | Edington | Jones | Sessions |
| Beck | Ellis | Kilgore | Slate |
| Blanton | Gafford | Laxson | Smith (C) |
| Bowers | Gloor | Lybrand | Smith (P) |
| Brown | Graham | Malone | Snodgrass |
| Burgess | Grayson | Marr | Springer |
| Burgreen | Hain | Mays | Thomas |
| Cameron | Harris | McDonald | Turnham |
| Cherner | Haygood | McElhaney | Waggoner |
| Collins (C) | Hill | McLain | Weeks |
| Collins (W) | Hobbie | Meeks | Williams |
| Cook (Jefferson) | Hogan | Merrill | Wood |
| Crane | Holladay | Owen (Baldwin) | Wright |
| Culver | Holman | Owens (W.E.) | Yeilding |
| Dill | | | |

—64

Nays:

| | | | |
|---------------|--------------|--------------|----------|
| Mr. Speaker | Drake | Lemley | Pearson |
| Agee | Fine | Manley | Pruitt |
| Bassett | Foshee | Mathews | Shumate |
| Berryman (R) | Garrett | McCorquodale | Snell |
| Berryman (W) | Hardin | Meade | Starnes |
| Brannan | Harper | Melton | Steagall |
| Brassell | Headley | Money | Stubbs |
| Collier | Higginbotham | Neville | Tuck |
| Cook (Coffee) | Jackson (F) | Owens (W) | Young |
| Crawford | | | |

—37

BILLS POSTPONED

On motion of Mr. Pruitt, consideration of the bills, H. 177 and H. 178, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

This bill makes an additional appropriation in the amount of \$44,000. from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

| | | | |
|--------------|----------|------------------|----------|
| Mr. Speaker | Blanton | Cherner | Crawford |
| Adwell | Brannan | Collier | Culver |
| Agee | Brassell | Collins (C) | Dill |
| Bank | Brown | Collins (W) | Doss |
| Bassett | Burgess | Cook (Coffee) | Downing |
| Beck | Burgreen | Cook (Jefferson) | Drake |
| Berryman (W) | Cameron | Crane | Edington |

| | | | |
|--------------|--------------|----------------|------------|
| Ellis | Holladay | McLain | Snell |
| Fine | Holman | Meade | Snodgrass |
| Foshee | House | Meeks | Springer |
| Garrett | Jackson (F) | Melton | Starnes |
| Gloor | Jackson (T) | Merrill | Steagall |
| Graham | Jones | Money | Stembridge |
| Grayson | Kilgore | Neville | Stubbs |
| Hain | Laxson | Owen (Baldwin) | Tuck |
| Hardin | Lemley | Owens (W) | Turnham |
| Harper | Lybrand | Owens (W.E.) | Waggoner |
| Harris | Malone | Pearson | Weeks |
| Haygood | Manley | Perloff | Williams |
| Headley | Marr | Pruitt | Wood |
| Higginbotham | Mathews | Sessions | Wright |
| Hill | Mays | Smith (C) | Yeilding |
| Hobbie | McCorquodale | Smith (P) | Young |
| Hogan | McDonald | | |

—94

S. 23, AND PENDING AMENDMENTS, POSTPONED

The motion of Mr. Pennington to lay on the table the motion of Mr. Turnham to postpone consideration of the bill, S. 23, and pending amendments, until the nineteenth legislative day was lost.

Yeas 27; Nays 59.

Yeas:

| | | | |
|--------------|---------|----------------|------------|
| Messrs.: | Doss | Marr | Slate |
| Bank | Downing | Mathews | Smith (C) |
| Berryman (R) | Graham | McLain | Steagall |
| Brown | Grayson | Meeks | Stembridge |
| Burgess | Hain | Merrill | Stubbs |
| Collins (W) | Hogan | Owen (Baldwin) | Williams |
| Dobbs | Lybrand | Pennington | Wood |

—27

Nays:

| | | | |
|---------------|--------------|-------------|----------|
| Mr. Speaker | Drake | Jackson (F) | Pearson |
| Adwell | Edington | Jackson (T) | Pruitt |
| Bassett | Ellis | Jones | Sessions |
| Berryman (W) | Fine | Kilgore | Shumate |
| Blanton | Foshee | Laxson | Snell |
| Bowers | Garrett | Lemley | Springer |
| Brannan | Gloor | Malone | Thomas |
| Burgreen | Hardin | Manley | Tuck |
| Cameron | Harper | Mays | Turnham |
| Collier | Harris | McDonald | Waggoner |
| Collins (C) | Headley | McElhaney | Weeks |
| Cook (Coffee) | Higginbotham | Meade | Wright |
| Crane | Hobbie | Melton | Yeilding |
| Crawford | Holman | Money | Young |
| Dill | House | Owens (W) | |

—59

The question was then on the motion of Mr. Turnham to postpone consideration of the bill, S. 23, and pending amendments, until the nineteenth legislative day and said motion was adopted.

BILLS POSTPONED

On motion of Mr. Merrill, consideration of the bills, H. 7, H. 8, and H. 12, was postponed until the nineteenth legislative day.

BILLS ON THIRD READING RESUMED

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

This bill appropriates \$4,300.00 from the State Board of Chiropractic Examiners Fund for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pennington |
| Adwell | Dobbs | Jackson (T) | Perloff |
| Agee | Doss | Jones | Sessions |
| Bank | Downing | Laxson | Shumate |
| Bassett | Drake | Lemley | Slate |
| Beck | Edington | Lybrand | Smith (C) |
| Berryman (R) | Ellis | Malone | Smith (P) |
| Berryman (W) | Fine | Manley | Snell |
| Blanton | Garrett | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McDonald | Starnes |
| Brassell | Grayson | McElhaney | Steagall |
| Brown | Hain | McLain | Stembridge |
| Burgess | Hardin | Meade | Stubbs |
| Burgreen | Harper | Meeks | Thomas |
| Cameron | Harris | Melton | Tuck |
| Collier | Haygood | Merrill | Waggoner |
| Collins (C) | Headley | Money | Weeks |
| Collins (W) | Higginbotham | Neville | Williams |
| Cook (Coffee) | Hill | Owen (Baldwin) | Wood |
| Crane | Hobbie | Owens (W) | Wright |
| Crawford | Hogan | Owens (W.E.) | Yeilding |
| Culver | Holman | Pearson | Young |

—92

H. 47 POSTPONED

On motion of Mr. Crawford, consideration of the bill, H. 47, was postponed until the next legislative day.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned until Wednesday, April 5, 1967, at ten o'clock A. M.

Yeas 56; Nays 34.

Yeas:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Brown | Downing | House |
| Adwell | Burgess | Drake | Jones |
| Agee | Burgreen | Fine | Kilgore |
| Bank | Cameron | Gafford | Lybrand |
| Bassett | Cherner | Gloor | Mathews |
| Beck | Collier | Graham | McDonald |
| Berryman (R) | Collins (C) | Hain | Meade |
| Bowers | Collins (W) | Harper | Merrill |
| Brannan | Cook (Jefferson) | Higginbotham | Neville |
| Brassell | Culver | Holman | Owen (Baldwin) |

| | | | |
|--------------|------------|---------|----------|
| Owens (W.E.) | Shumate | Stubbs | Waggoner |
| Pearson | Snodgrass | Thomas | Williams |
| Pruitt | Starnes | Tuck | Wood |
| Sessions | Stembridge | Turnham | Wright |

—56

Nays:

| | | | |
|---------------|---------|-------------|------------|
| Messrs.: | Garrett | Holladay | Pennington |
| Berryman (W) | Grayson | Jackson (T) | Perloff |
| Cook (Coffee) | Hardin | Laxson | Slate |
| Crane | Harris | Lemley | Smith (C) |
| Dill | Haygood | Marr | Springer |
| Dobbs | Headley | Meeks | Steagall |
| Doss | Hill | Melton | Yeilding |
| Edington | Hobbie | Money | Young |
| Ellis | Hogan | Owens (W) | |

—34

EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, April 5, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Haywood Scott, Pastor, First South Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Perloff |
| Adwell | Downing | Jones | Pruitt |
| Agee | Drake | Kilgore | Sessions |
| Bank | Edington | Laxson | Shumate |
| Bassett | Ellis | Lemley | Slate |
| Beck | Fine | Lybrand | Smith (C) |
| Berryman (R) | Foshee | Malone | Smith (P) |
| Berryman (W) | Gafford | Manley | Snell |
| Bolton | Garrett | Marr | Snodgrass |
| Bowers | Gloor | Mathews | Springer |
| Brannan | Graham | Mays | Starnes |
| Brassell | Grayson | McCorquodale | Steagall |
| Brown | Hain | McDonald | Stembridge |
| Burgess | Hardin | McElhaney | Stubbs |
| Burgreen | Harper | McLain | Thomas |
| Cameron | Harris | Meade | Tuck |
| Cherner | Haygood | Meeks | Turnham |
| Collier | Headley | Melton | Waggoner |
| Collins (C) | Higginbotham | Merrill | Watkins |
| Collins (W) | Hill | Money | Weeks |
| Cook (Coffee) | Hobbie | Neville | Williams |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wood |
| Crane | Holladay | Owens (W) | Wright |
| Crawford | Holman | Owens (W.E.) | Yeilding |
| Culver | House | Pearson | Young |
| Dill | Jackson (F) | Pennington | |

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Lybrand to suspend the rules in order to dispense with the reading at length of the Journal of the House for the seventeenth legislative day was lost.

Yeas 59; Nays 27.

Yeas:

| | | | |
|------------------|----------|----------------|-----------|
| Messrs.: | Dill | House | Perloff |
| Adwell | Downing | Jackson (T) | Sessions |
| Bank | Edington | Kilgore | Shumate |
| Beck | Ellis | Laxson | Smith (C) |
| Berryman (W) | Gafford | Lybrand | Smith (P) |
| Bowers | Gloor | Malone | Snodgrass |
| Brown | Graham | Marr | Springer |
| Burgess | Grayson | McElhaney | Starnes |
| Cameron | Hardin | McLain | Stubbs |
| Cherner | Harris | Meeks | Thomas |
| Collins (C) | Haygood | Merrill | Waggoner |
| Collins (W) | Hill | Money | Watkins |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wood |
| Crane | Hogan | Owens (W.E.) | Wright |
| Culver | Holman | Pennington | Yeilding |

—59

Nays:

| | | | |
|---------------|--------------|--------------|------------|
| Messrs.: | Dobbs | Holladay | Owens (W) |
| Agee | Fine | Jackson (F) | Pruitt |
| Bassett | Foshee | Manley | Steagall |
| Brassell | Hain | Mays | Stembridge |
| Burgreen | Harper | McCorquodale | Tuck |
| Collier | Headley | Meade | Williams |
| Cook (Coffee) | Higginbotham | Neville | Young |

—27

READING OF JOURNAL

The Speaker directed the Clerk to read the Journal of the House for the seventeenth legislative day, and the reading commenced.

MOTIONS TO ADJOURN LOST

The motion of Mr. Garrett that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 11; Nays 63.

Yeas:

| | | | |
|----------|---------|------------|---------|
| Messrs.: | Garrett | Pruitt | Stubbs |
| Bassett | Hardin | Steagall | Tuck |
| Dobbs | Money | Stembridge | Watkins |

—11

Nays:

| | | | |
|--------------|------------------|-------------|----------------|
| Messrs.: | Collins (C) | Harris | Meeks |
| Adwell | Collins (W) | Headley | Merrill |
| Bank | Cook (Coffee) | Hill | Neville |
| Beck | Cook (Jefferson) | Hobbie | Owen (Baldwin) |
| Berryman (R) | Crane | Hogan | Pearson |
| Berryman (W) | Culver | Holman | Pennington |
| Blanton | Dill | House | Perloff |
| Bowers | Downing | Jackson (F) | Smith (C) |
| Brannan | Edington | Jackson (T) | Smith (P) |
| Brassell | Ellis | Jones | Snodgrass |
| Brown | Fine | Laxson | Starnes |
| Burgess | Foshee | Lybrand | Thomas |
| Burgreen | Gafford | Malone | Waggoner |
| Cameron | Gloor | Marr | Wood |
| Cherner | Graham | McDonald | Wright |
| Collier | Grayson | McElhaney | Yeilding |

—63

The motion of Mr. Stubbs that the House adjourn until Thursday, April 6, 1967, at ten o'clock A. M. was lost.

Yeas 9; Nays 60.

Yeas:

| | | | |
|----------|---------------|--------------|----------|
| Messrs.: | Brown | Higginbotham | Steagall |
| Bassett | Cook (Coffee) | Pruitt | Tuck |
| Brassell | Hardin | | |

—9

Nays:

| | | | |
|--------------|------------------|-------------|----------------|
| Messrs.: | Cook (Jefferson) | Hill | Money |
| Adwell | Crane | Hobbie | Owen (Baldwin) |
| Agee | Culver | Hogan | Perloff |
| Bank | Dill | Holman | Sessions |
| Beck | Dobbs | House | Smith (C) |
| Berryman (R) | Doss | Jackson (F) | Smith (P) |
| Berryman (W) | Downing | Jackson (T) | Snodgrass |
| Blanton | Edington | Kilgore | Starnes |
| Brannan | Ellis | Lybrand | Stembridge |
| Burgess | Foshee | Malone | Thomas |
| Burgreen | Gafford | Marr | Turnham |
| Cameron | Gloor | Mays | Waggoner |
| Cherner | Graham | McElhaney | Watkins |
| Collier | Harris | Meeks | Wright |
| Collins (C) | Haygood | Merrill | Yeilding |
| Collins (W) | | | |

—60

MOTIONS TO RECESS LOST

The motion of Mr. Fine that the House recess until this afternoon at one thirty o'clock P. M. was lost.

Yeas 11; Nays 63.

Yeas:

| | | | |
|----------|--------|----------|---------|
| Messrs.: | Brown | Neville | Stubbs |
| Bassett | Fine | Pruitt | Tuck |
| Brassell | Hardin | Steagall | Turnham |

—11

Nays:

| | | | |
|--------------|------------------|-------------|----------------|
| Messrs.: | Collins (W) | Headley | Owen (Baldwin) |
| Adwell | Cook (Jefferson) | Hill | Pearson |
| Agee | Crane | Hobbie | Perloff |
| Bank | Culver | Hogan | Sessions |
| Beck | Dill | Holman | Slate |
| Berryman (R) | Doss | House | Smith (C) |
| Berryman (W) | Downing | Jackson (F) | Smith (P) |
| Blanton | Drake | Jackson (T) | Snodgrass |
| Bowers | Edington | Kilgore | Starnes |
| Brannan | Ellis | Lybrand | Stembridge |
| Burgess | Foshee | Malone | Thomas |
| Burgreen | Gafford | Marr | Waggoner |
| Cameron | Gloor | Mays | Watkins |
| Cherner | Graham | McElhaney | Wright |
| Collier | Harris | Meeks | Yeilding |
| Collins (C) | Haygood | Merrill | Young |

—63

The motion of Mr. Collier that the House recess until this afternoon at two o'clock P. M. was lost.

Yeas 15; Nays 62.

Yeas:

| | | | |
|-------------|--------|-----------|----------|
| Mr. Speaker | Hain | Meade | Steagall |
| Bassett | Hardin | Merrill | Stubbs |
| Brown | Harper | Owens (W) | Tuck |
| Fine | Laxson | Pruitt | |

—15

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Hobbie | Pennington |
| Adwell | Dill | Hogan | Perloff |
| Bank | Dobbs | Holman | Sessions |
| Berryman (W) | Doss | House | Slate |
| Blanton | Downing | Jackson (F) | Smith (C) |
| Bowers | Drake | Jackson (T) | Smith (P) |
| Brannan | Edington | Jones | Snodgrass |
| Burgess | Ellis | Kilgore | Starnes |
| Burgreen | Foshee | Lybrand | Thomas |
| Cameron | Gafford | Malone | Waggoner |
| Cherner | Gloor | Marr | Watkins |
| Collier | Graham | McDonald | Wood |
| Collins (C) | Harris | McElhaney | Wright |
| Collins (W) | Haygood | Meeks | Yeilding |
| Cook (Jefferson) | Headley | Money | Young |
| Crane | Hill | Pearson | |

—62

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 18; Nays 70.

Yeas:

| | | | |
|---------------|---------|----------------|----------|
| Mr. Speaker | Garrett | Neville | Steagall |
| Agee | Hardin | Owen (Baldwin) | Stubbs |
| Bassett | Headley | Pruitt | Tuck |
| Brassell | Laxson | Shumate | Turnham |
| Cook (Coffee) | Meade | | |

—18

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Hobbie | Pennington |
| Adwell | Dill | Hogan | Perloff |
| Bank | Dobbs | Holman | Sessions |
| Beck | Doss | House | Slate |
| Berryman (W) | Downing | Jackson (F) | Smith (C) |
| Blanton | Drake | Jackson (T) | Smith (P) |
| Bowers | Edington | Jones | Snodgrass |
| Brannan | Ellis | Kilgore | Springer |
| Brown | Fine | Lybrand | Starnes |
| Burgess | Foshee | Malone | Stembridge |
| Burgreen | Gafford | Marr | Thomas |
| Cameron | Gloor | Mathews | Waggoner |
| Cherner | Graham | Mays | Watkins |
| Collier | Grayson | McElhaney | Williams |
| Collins (C) | Hain | Meeks | Wright |
| Collins (W) | Harris | Merrill | Yeilding |
| Cook (Jefferson) | Haygood | Money | Young |
| Crane | Hill | Pearson | |

—70

MOTIONS TO RECESS LOST

The motion of Mr. Young that the House recess for one hour was lost.

Yeas 29; Nays 57.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Hain | Laxson | Slate |
| Bassett | Hardin | Mathews | Steagall |
| Brassell | Harper | Meade | Stembridge |
| Collier | Headley | Owen (Baldwin) | Stubbs |
| Cook (Coffee) | Higginbotham | Pearson | Tuck |
| Doss | Holladay | Pruitt | Turnham |
| Fine | Jackson (F) | Shumate | Young |
| Foshee | | | |

—29

Nays:

| | | | |
|--------------|------------------|-------------|------------|
| Messrs.: | Cook (Jefferson) | Hill | Meeks |
| Adwell | Crane | Hobbie | Merrill |
| Agee | Culver | Hogan | Pennington |
| Bank | Dill | Holman | Perloff |
| Beck | Dobbs | House | Sessions |
| Berryman (W) | Downing | Jackson (T) | Smith (C) |
| Blanton | Drake | Jones | Smith (P) |
| Bowers | Edington | Kilgore | Snodgrass |
| Brannan | Ellis | Lybrand | Starnes |
| Brown | Gafford | Malone | Thomas |
| Burgreen | Gloor | Marr | Waggoner |
| Cameron | Graham | Mays | Watkins |
| Cherner | Grayson | McDonald | Wright |
| Collins (C) | Harris | McElhaney | Yeilding |
| Collins (W) | Haygood | | |

—57

The motion of Mr. Pearson that the House recess for a few minutes was lost.

Yeas 25; Nays 57.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Pearson |
| Bassett | Hain | Mathews | Pruitt |
| Berryman (R) | Hardin | Mays | Steagall |
| Berryman (W) | Harper | Meade | Stembridge |
| Brassell | Higginbotham | Money | Tuck |
| Cook (Coffee) | Holladay | Owen (Baldwin) | Young |
| Fine | | | |

—25

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Crane | Hobbie | Merrill |
| Adwell | Culver | Hogan | Pennington |
| Agee | Dill | Holman | Perloff |
| Bank | Dobbs | House | Sessions |
| Blanton | Downing | Jackson (T) | Smith (C) |
| Bowers | Drake | Kilgore | Smith (P) |
| Brannan | Edington | Laxson | Snodgrass |
| Brown | Ellis | Lybrand | Springer |
| Burgreen | Gafford | Malone | Starnes |
| Cameron | Gloor | Marr | Thomas |
| Cherner | Graham | McDonald | Waggoner |
| Collier | Grayson | McElhaney | Watkins |
| Collins (C) | Harris | Meeks | Wright |
| Collins (W) | Haygood | Melton | Yeilding |
| Cook (Jefferson) | Hill | | |

—57

MOTIONS TO ADJOURN LOST

The motion of Mr. Bassett that the House adjourn until Thursday, April 6, 1967, at eleven o'clock A. M. was lost.

Yeas 20; Nays 67.

Yeas:

| | | | |
|---------------|--------------|----------------|----------|
| Mr. Speaker | Garrett | Mathews | Shumate |
| Bassett | Hardin | Meade | Steagall |
| Berryman (R) | Harper | Neville | Stubbs |
| Cook (Coffee) | Higginbotham | Owen (Baldwin) | Tuck |
| Foshee | Jackson (F) | Pruitt | Williams |

—20

Nays:

| | | | |
|--------------|------------------|-------------|--------------|
| Messrs.: | Collins (W) | Hill | Money |
| Adwell | Cook (Jefferson) | Hobbie | Owens (W.E.) |
| Agee | Crane | Hogan | Pearson |
| Bank | Culver | Holman | Perloff |
| Beck | Dobbs | House | Sessions |
| Berryman (W) | Doss | Jackson (T) | Slate |
| Blanton | Downing | Kilgore | Smith (C) |
| Bowers | Drake | Laxson | Smith (P) |
| Brannan | Edington | Lybrand | Snodgrass |
| Brassell | Ellis | Malone | Springer |
| Brown | Gafford | Marr | Starnes |
| Burgess | Gloor | McDonald | Thomas |
| Burgreen | Graham | McElhaney | Waggoner |
| Cameron | Grayson | McLain | Watkins |
| Cherner | Harris | Meeks | Wright |
| Collier | Haygood | Melton | Yeilding |
| Collins (C) | Headley | Merrill | Young |

—67

The motion of Mr. Agee that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 27; Nays 60.

Yeas:

| | | | |
|---------------|--------------|---------|------------|
| Mr. Speaker | Foshee | Manley | Steagall |
| Agee | Garrett | Mathews | Stembridge |
| Bassett | Hardin | Meade | Stubbs |
| Berryman (W) | Harper | Neville | Tuck |
| Brassell | Higginbotham | Pearson | Turnham |
| Cook (Coffee) | Holladay | Pruitt | Young |
| Fine | Jackson (F) | Shumate | |

—27

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Dill | House | Owens (W.E.) |
| Adwell | Dobbs | Jackson (T) | Pennington |
| Bank | Doss | Kilgore | Perloff |
| Beck | Downing | Laxson | Sessions |
| Bowers | Drake | Lybrand | Smith (C) |
| Brannan | Edington | Malone | Smith (P) |
| Brown | Ellis | Marr | Snodgrass |
| Burgess | Gloor | Mays | Springer |
| Burgreen | Graham | McDonald | Starnes |
| Cameron | Harris | McElhaney | Thomas |
| Cherner | Haygood | McLain | Waggoner |
| Collier | Hill | Meeks | Williams |
| Collins (C) | Hobbie | Melton | Wood |
| Cook (Jefferson) | Hogan | Merrill | Wright |
| Crane | Holman | Money | Yeilding |
| Culver | | | |

—60

MOTION TO SUSPEND RULES LOST

The motion of Mr. McDonald to suspend the rules in order to dispense with the reading at length of the Journal of the House for the seventeenth legislative day was lost.

Yeas 59; Nays 36.

Yeas:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Culver | Hogan | Owens (W.E.) |
| Adwell | Dill | Holman | Pennington |
| Bank | Dobbs | House | Perloff |
| Beck | Downing | Jackson (T) | Sessions |
| Bowers | Drake | Jones | Smith (C) |
| Brannan | Edington | Kilgore | Smith (P) |
| Brown | Ellis | Laxson | Snodgrass |
| Burgess | Gafford | Lybrand | Springer |
| Burgreen | Gloor | Malone | Starnes |
| Cameron | Graham | Marr | Thomas |
| Cherner | Grayson | Mays | Waggoner |
| Collins (C) | Harris | McDonald | Watkins |
| Collins (W) | Haygood | McElhaney | Wood |
| Cook (Jefferson) | Hill | Meeks | Wright |
| Crane | Hobbie | Money | Yeilding |

—59

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Holladay | Pearson |
| Agee | Fine | Jackson (F) | Pruitt |
| Bassett | Foshee | Manley | Steagall |
| Berryman (R) | Garrett | McCorquodale | Stembridge |
| Berryman (W) | Hain | Meade | Stubbs |
| Blanton | Hardin | Melton | Tuck |
| Brassell | Harper | Neville | Turnham |
| Collier | Headley | Owen (Baldwin) | Williams |
| Cook (Coffee) | Higginbotham | Owens (W) | Young |

—36

MOTIONS TO RECESS LOST

The motion of Mr. Meade that the House recess until this afternoon at one thirty o'clock P. M. was lost.

Yeas 31; Nays 63.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Garrett | Mays | Shumate |
| Agee | Hain | McCorquodale | Steagall |
| Bassett | Hardin | Meade | Stembridge |
| Berryman (R) | Harper | Neville | Stubbs |
| Brassell | Headley | Owen (Baldwin) | Tuck |
| Doss | Higginbotham | Owens (W) | Williams |
| Fine | Jackson (F) | Pearson | Young |
| Foshee | Manley | Pruitt | |

—31

Nays:

| | | | |
|------------------|-----------|-------------|--------------|
| Messrs.: | Crane | Hogan | Money |
| Adwell | Culver | Holman | Owens (W.E.) |
| Bank | Dill | House | Pennington |
| Beck | Dobbs | Jackson (T) | Perloff |
| Berryman (W) | Downing | Jones | Sessions |
| Bowers | Drake | Kilgore | Smith (C) |
| Brannan | Edgington | Laxson | Smith (P) |
| Brown | Ellis | Lybrand | Snodgrass |
| Burgess | Gafford | Malone | Springer |
| Burgreen | Gloor | Marr | Starnes |
| Cameron | Graham | Mathews | Thomas |
| Cherner | Grayson | McDonald | Waggoner |
| Collier | Harris | McElhaney | Watkins |
| Collins (C) | Haygood | McLain | Wood |
| Collins (W) | Hill | Meeks | Wright |
| Cook (Jefferson) | Hobbie | Melton | Yeilding |

—63

The motion of Mr. Foshee that the House recess until this afternoon at one o'clock P. M. was lost.

Yeas 22; Nays 64.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Headley | Owen (Baldwin) | Steagall |
| Bassett | Higginbotham | Owens (W) | Stembridge |
| Berryman (R) | Jackson (F) | Pearson | Stubbs |
| Foshee | Manley | Pruitt | Tuck |
| Garrett | Mays | Shumate | Young |
| Hardin | Meade | | |

—22

Nays:

| | | | |
|--------------|------------------|-------------|------------|
| Messrs.: | Cook (Jefferson) | Hill | Melton |
| Adwell | Crane | Hobbie | Merrill |
| Agee | Culver | Hogan | Money |
| Bank | Dill | Holman | Pennington |
| Beck | Dobbs | House | Perloff |
| Berryman (W) | Doss | Jackson (T) | Sessions |
| Bowers | Downing | Jones | Smith (C) |
| Brannan | Drake | Kilgore | Smith (P) |
| Brassell | Edington | Laxson | Snodgrass |
| Brown | Ellis | Lybrand | Springer |
| Burgess | Gafford | Malone | Starnes |
| Burgreen | Gloor | Marr | Thomas |
| Cameron | Graham | McDonald | Waggoner |
| Cherner | Grayson | McElhanev | Watkins |
| Collier | Harris | McLain | Wright |
| Collins (C) | Haygood | Meeks | Yeilding |
| Collins (W) | | | |

—64

The motion of Mr. Hardin that the House recess until this afternoon at two o'clock P. M. was lost.

Yeas 29; Nays 59.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Graham | Mathews | Pearson |
| Agee | Hardin | Mays | Pruitt |
| Bassett | Harper | McCorquodale | Steagall |
| Berryman (R) | Headley | Meade | Stembridge |
| Brassell | Higginbotham | Melton | Stubbs |
| Fine | Jackson (F) | Owen (Baldwin) | Tuck |
| Foshee | Manley | Owens (W) | Young |
| Garrett | | | |

—29

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Dill | Holman | Owens (W.E.) |
| Adwell | Dobbs | House | Pennington |
| Bank | Doss | Jackson (T) | Perloff |
| Beck | Downing | Jones | Sessions |
| Brannan | Drake | Kilgore | Slate |
| Brown | Edington | Laxson | Smith (C) |
| Burgess | Ellis | Lybrand | Smith (P) |
| Burgreen | Gafford | Malone | Snodgrass |
| Cameron | Gloor | Marr | Starnes |
| Cherner | Grayson | McDonald | Thomas |
| Collier | Harris | McElhanev | Waggoner |
| Collins (C) | Haygood | McLain | Watkins |
| Cook (Jefferson) | Hill | Meeks | Wood |
| Crane | Hobbie | Merrill | Wright |
| Culver | Hogan | Money | Yeilding |

—59

The motion of Mr. Meade that the House recess until this afternoon at 1:45 o'clock P. M. was lost.

Yeas 25; Nays 60.

Yeas:

| | | | |
|-------------|--------------|---------------|---------|
| Mr. Speaker | Berryman (R) | Cook (Coffee) | Garrett |
| Agee | Berryman (W) | Fine | Graham |
| Bassett | Brassell | Foshee | Hardin |

EXTRAORDINARY SESSION

407

| | | | |
|--------------|--------------|-----------|----------|
| Harper | McCorquodale | Owens (W) | Steagall |
| Higginbotham | Meade | Pearson | Stubbs |
| Jackson (F) | Melton | Pruitt | Tuck |
| Manley | | | |

—25

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Culver | Holman | Money |
| Adwell | Dill | House | Owens (W.E.) |
| Bank | Doss | Jackson (T) | Pennington |
| Beck | Downing | Jones | Perloff |
| Bowers | Drake | Kilgore | Sessions |
| Brannan | Edington | Laxson | Slate |
| Brown | Ellis | Lybrand | Smith (C) |
| Burgess | Gafford | Malone | Smith (P) |
| Burgreen | Gloor | Marr | Snodgrass |
| Cameron | Grayson | Mathews | Springer |
| Cherner | Harris | McDonald | Starnes |
| Collier | Haygood | McElhaney | Thomas |
| Collins (C) | Hill | McLain | Waggoner |
| Collins (W) | Hobbie | Meeks | Wright |
| Cook (Jefferson) | Hogan | Merrill | Yeilding |
| Crane | | | |

—60

MOTIONS TO ADJOURN LOST

The motion of Mr. Berryman (R) that the House adjourn until Friday, April 7, 1967, at twelve o'clock, noon, was lost.

Yeas 27; Nays 58.

Yeas:

| | | | |
|---------------|---------|--------------|----------|
| Mr. Speaker | Fine | Higginbotham | Pearson |
| Agee | Foshee | Jackson (F) | Pruitt |
| Bassett | Garrett | Manley | Snell |
| Berryman (W) | Graham | Mathews | Steagall |
| Brassell | Hain | McCorquodale | Stubbs |
| Collier | Hardin | Meade | Tuck |
| Cook (Coffee) | Harper | Owens (W) | |

—27

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Dill | Jackson (T) | Perloff |
| Bank | Downing | Jones | Sessions |
| Beck | Drake | Kilgore | Smith (C) |
| Bowers | Edington | Laxson | Smith (P) |
| Brannan | Ellis | Lybrand | Snodgrass |
| Brown | Gafford | Malone | Springer |
| Burgess | Gloor | Marr | Starnes |
| Burgreen | Grayson | McDonald | Thomas |
| Cameron | Harris | McElhaney | Waggoner |
| Cherner | Haygood | McLain | Watkins |
| Collins (C) | Hill | Meeks | Williams |
| Collins (W) | Hobbie | Merrill | Wright |
| Cook (Jefferson) | Hogan | Money | Yeilding |
| Crane | Holman | Owen (Baldwin) | |

—58

The motion of Mr. Tuck that the House adjourn until Thursday, April 6, 1967, at one o'clock A. M. was lost.

Yeas 22; Nays 64.

Yeas:

| | | | |
|---------------|--------------|--------------|--------|
| Messrs.: | Foshee | Jackson (F) | Melton |
| Agee | Garrett | Manley | Pruitt |
| Bassett | Graham | Mathews | Slate |
| Collier | Hardin | Mays | Stubbs |
| Cook (Coffee) | Harper | McCorquodale | Tuck |
| Edington | Higginbotham | Meade | |

—22

Nays:

| | | | |
|------------------|---------|----------------|--------------|
| Mr. Speaker | Crane | Hogan | Owens (W.E.) |
| Adwell | Culver | Holman | Pearson |
| Bank | Dill | House | Pennington |
| Beck | Doss | Jackson (T) | Perloff |
| Berryman (W) | Downing | Jones | Sessions |
| Bowers | Drake | Kilgore | Smith (C) |
| Brannan | Ellis | Laxson | Snodgrass |
| Brassell | Fine | Lybrand | Springer |
| Brown | Gafford | Malone | Starnes |
| Burgess | Gloor | Marr | Steagall |
| Burgreen | Hain | McElhaney | Stembridge |
| Cameron | Harris | McLain | Thomas |
| Cherner | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Merrill | Weeks |
| Collins (W) | Hill | Money | Wright |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Yeilding |

—64

MOTIONS TO RECESS LOST

The motion of Mr. Melton that the House recess until this afternoon at 1:20 o'clock P. M. was lost.

Yeas 27; Nays 61.

Yeas:

| | | | |
|--------------|---------------|--------------|-----------|
| Mr. Speaker | Cook (Coffee) | Harper | Owens (W) |
| Agee | Fine | Higginbotham | Pearson |
| Bassett | Foshee | Jackson (F) | Pruitt |
| Berryman (R) | Garrett | Manley | Steagall |
| Berryman (W) | Graham | McCorquodale | Stubbs |
| Brassell | Hain | Meade | Tuck |
| Collier | Hardin | Melton | |

—27

Nays:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Dill | Jones | Pennington |
| Adwell | Downing | Kilgore | Perloff |
| Bank | Drake | Laxson | Sessions |
| Beck | Edington | Lybrand | Slate |
| Bowers | Ellis | Malone | Smith (C) |
| Brannan | Gafford | Marr | Snodgrass |
| Brown | Gloor | Mathews | Springer |
| Burgess | Grayson | McDonald | Starnes |
| Burgreen | Harris | McElhaney | Stembridge |
| Cameron | Haygood | McLain | Thomas |
| Cherner | Hill | Meeks | Waggoner |
| Collins (C) | Hobbie | Merrill | Watkins |
| Collins (W) | Hogan | Money | Wood |
| Cook (Jefferson) | Holman | Owen (Baldwin) | Wright |
| Crane | House | Owens (W.E.) | Yeilding |
| Culver | Jackson (T) | | |

—61

The motion of Mr Jackson (F) that the House recess until this afternoon at 1:45 o'clock P. M. was lost.

Yeas 27; Nays 61.

Yeas:

| | | | |
|---------------|--------------|-------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Pearson |
| Bassett | Garrett | Manley | Pruitt |
| Berryman (R) | Graham | Mathews | Steagall |
| Brassell | Hain | Mays | Stembridge |
| Collier | Hardin | Meade | Stubbs |
| Cook (Coffee) | Harper | Melton | Tuck |
| Fine | Higginbotham | Owens (W) | |

—27

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Crane | House | Pennington |
| Adwell | Culver | Jackson (T) | Perloff |
| Agee | Dill | Jones | Sessions |
| Bank | Doss | Kilgore | Slate |
| Beck | Downing | Laxson | Smith (C) |
| Berryman (W) | Edington | Lybrand | Smith (P) |
| Bowers | Ellis | Malone | Snodgrass |
| Brannan | Gafford | Marr | Springer |
| Brown | Gloor | McDonald | Starnes |
| Burgess | Grayson | McElhaney | Thomas |
| Burgreen | Harris | McLain | Waggoner |
| Cameron | Haygood | Meeks | Watkins |
| Cherner | Hill | Merrill | Wood |
| Collins (C) | Hobbie | Money | Wright |
| Collins (W) | Hogan | Owens (W.E.) | Yeilding |
| Cook (Jefferson) | Holman | | |

—61

MOTION TO ADJOURN LOST

The motion of Mr. Steagall that the House adjourn until Friday, April 7, 1967, at ten thirty o'clock A. M. was lost.

Yeas 28; Nays 56.

Yeas:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Jackson (F) | Pearson |
| Agee | Foshee | Manley | Pruitt |
| Bassett | Garrett | McCorquodale | Steagall |
| Berryman (R) | Graham | Meade | Stembridge |
| Brassell | Harper | Melton | Stubbs |
| Collier | Higginbotham | Neville | Tuck |
| Cook (Coffee) | Holladay | Owens (W) | Turnham |

—28

Nays:

| | | | |
|----------|------------------|-------------|-----------|
| Messrs.: | Cherner | Gloor | Jones |
| Adwell | Collins (C) | Grayson | Kilgore |
| Bank | Collins (W) | Harris | Laxson |
| Beck | Cook (Jefferson) | Haygood | Lybrand |
| Bowers | Crane | Hill | Malone |
| Brannan | Culver | Hobbie | Marr |
| Brown | Doss | Hogan | Mays |
| Burgess | Downing | Holman | McDonald |
| Burgreen | Edington | House | McElhaney |
| Cameron | Ellis | Jackson (T) | McLain |

| | | | |
|--------------|-----------|-----------|----------|
| Meeks | Perloff | Snodgrass | Watkins |
| Merrill | Sessions | Springer | Wood |
| Money | Slate | Thomas | Wright |
| Owens (W.E.) | Smith (C) | Waggoner | Yeilding |
| Pennington | | | |

—56

MOTIONS TO RECESS LOST

The motion of Mr. Neville that the House recess until this morning at 11:40 o'clock A. M. was lost.

Yeas 28; Nays 58.

Yeas:

| | | | |
|--------------|---------|----------------|-----------|
| Mr. Speaker | Fine | Higginbotham | Owens (W) |
| Agee | Foshee | Jackson (F) | Pearson |
| Bassett | Garrett | Manley | Pruitt |
| Berryman (R) | Graham | McCorquodale | Steagall |
| Berryman (W) | Hain | Meade | Stubbs |
| Brassell | Harper | Melton | Tuck |
| Collier | Headley | Owen (Baldwin) | Turnham |

—28

Nays:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Culver | Jackson (T) | Perloff |
| Adwell | Dill | Jones | Sessions |
| Bank | Doss | Kilgore | Slate |
| Beck | Downing | Laxson | Smith (C) |
| Bowers | Drake | Lybrand | Smith (P) |
| Brannan | Edington | Malone | Snodgrass |
| Brown | Ellis | Marr | Springer |
| Burgess | Gloor | McDonald | Starnes |
| Burgreen | Harris | McElhanev | Thomas |
| Cameron | Haygood | McLain | Waggoner |
| Cherner | Hill | Meeks | Watkins |
| Collins (C) | Hobbie | Merrill | Wood |
| Collins (W) | Hogan | Money | Wright |
| Cook (Jefferson) | Holman | Owens (W.E.) | Yeilding |
| Crane | House | Pennington | |

—58

The motion of Mr. Higginbotham that the House recess until this afternoon at 12:15 o'clock P. M. was lost.

Yeas 29; Nays 57.

Yeas:

| | | | |
|-------------|--------------|----------------|------------|
| Mr. Speaker | Graham | McCorquodale | Pruitt |
| Agee | Harper | Meade | Slate |
| Bassett | Headley | Melton | Stembridge |
| Brassell | Higginbotham | Neville | Stubbs |
| Collier | Jackson (F) | Owen (Baldwin) | Tuck |
| Fine | Mathews | Owens (W) | Turnham |
| Foshee | Mays | Pearson | Williams |
| Garrett | | | |

—29

Nays:

| | | | |
|----------|--------------|----------|------------------|
| Messrs.: | Berryman (W) | Burgess | Collins (C) |
| Adwell | Bowers | Burgreen | Collins (W) |
| Bank | Brannan | Cameron | Cook (Jefferson) |
| Beck | Brown | Cherner | Crane |

EXTRAORDINARY SESSION

411

| | | | |
|----------|-------------|--------------|-----------|
| Culver | Hill | Marr | Smith (C) |
| Dill | Hobbie | McElhaney | Smith (P) |
| Doss | Hogan | McLain | Snodgrass |
| Downing | Holman | Meeks | Springer |
| Drake | House | Merrill | Thomas |
| Edington | Jackson (T) | Money | Waggoner |
| Ellis | Jones | Owens (W.E.) | Watkins |
| Gloor | Kilgore | Pennington | Wood |
| Grayson | Laxson | Perloff | Wright |
| Harris | Lybrand | Sessions | Yeilding |
| Haygood | Malone | | |

—57

MOTIONS TO ADJOURN LOST

The motion of Mr. Stubbs that the House adjourn until Thursday, April 6, 1967, at eleven o'clock A. M. was lost.

Yeas 25; Nays 58.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Perloff |
| Agee | Garrett | McCorquodale | Pruitt |
| Bassett | Graham | Meade | Shumate |
| Berryman (W) | Harper | Melton | Stembridge |
| Brassell | Headley | Owens (W) | Tuck |
| Collier | Higginbotham | Pearson | Turnham |
| Fine | | | |

—25

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Culver | Holman | Owens (W.E.) |
| Adwell | Dill | House | Pennington |
| Bank | Doobs | Jackson (T) | Sessions |
| Beck | Doss | Jones | Slate |
| Bowers | Downing | Kilgore | Smith (C) |
| Brannan | Drake | Lybrand | Smith (P) |
| Brown | Edington | Malone | Snodgrass |
| Burgess | Ellis | Marr | Springer |
| Burgreen | Gloor | Mathews | Thomas |
| Cameron | Grayson | Mays | Waggoner |
| Cherner | Harris | McElhaney | Watkins |
| Collins (C) | Haygood | McLain | Wood |
| Collins (W) | Hill | Meeks | Wright |
| Cook (Jefferson) | Hobbie | Merrill | Yeilding |
| Crane | Hogan | Money | |

—58

The motion of Mr. Brassell that the House adjourn until Friday, April 7, 1967, at 10:15 o'clock A. M. was lost.

Yeas 27; Nays 55.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Mays | Shumate |
| Agee | Garrett | McCorquodale | Steagall |
| Bassett | Graham | Meade | Stembridge |
| Berryman (R) | Harper | Neville | Stubbs |
| Brassell | Headley | Owens (W) | Tuck |
| Collier | Higginbotham | Pearson | Young |
| Fine | Jackson (F) | Pruitt | |

—27

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Dill | Jackson (T) | Pennington |
| Adwell | Dobbs | Jones | Perloff |
| Bowers | Downing | Kilgore | Sessions |
| Brannan | Drake | Laxson | Smith (C) |
| Brown | Edington | Lybrand | Snodgrass |
| Burgess | Ellis | Malone | Springer |
| Burgreen | Gloor | Marr | Starnes |
| Cameron | Grayson | Mathews | Thomas |
| Cherner | Harris | McElhaney | Waggoner |
| Collins (C) | Hill | McLain | Watkins |
| Collins (W) | Hobbie | Meeks | Williams |
| Cook (Jefferson) | Hogan | Merrill | Wood |
| Crane | Holman | Money | Wright |
| Culver | House | Owens (W.E.) | Yeilding |

—55

RECESS

On motion of Mr. Steagall the House recessed for thirty minutes.

The House reconvened. The Speaker called the House to order.

MOTIONS TO ADJOURN LOST

The motion of Mr. Lemley that the House adjourn until Friday, April 7, 1967, at one o'clock P. M. was lost.

Yeas 28; Nays 53.

Yeas:

| | | | |
|--------------|---------|--------------|----------|
| Mr. Speaker | Collier | Higginbotham | Pearson |
| Agee | Fine | Holladay | Pruitt |
| Bassett | Foshee | Jackson (F) | Shumate |
| Berryman (R) | Garrett | Lemley | Steagall |
| Berryman (W) | Graham | McCorquodale | Stubbs |
| Blanton | Hardin | Melton | Tuck |
| Brassell | Harper | Owens (W) | Young |

—28

Nays:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Dill | Holman | Perloff |
| Adwell | Dobbs | House | Sessions |
| Bank | Doss | Jackson (T) | Smith (C) |
| Bowers | Downing | Laxson | Snodgrass |
| Brannan | Drake | Lybrand | Springer |
| Brown | Edington | Malone | Starnes |
| Burgess | Ellis | Marr | Thomas |
| Cameron | Gafford | Mays | Turnham |
| Cherner | Gloor | McElhaney | Waggoner |
| Collins (C) | Harris | McLain | Williams |
| Collins (W) | Haygood | Meeks | Wood |
| Cook (Jefferson) | Hill | Merrill | Wright |
| Crane | Hobbie | Pennington | Yeilding |
| Culver | Hogan | | |

—53

The motion of Mr. Manley that the House adjourn until Friday, April 7, 1967, at one o'clock P. M. was lost.

Yeas 28; Nays 52.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Jackson (F) | Pearson |
| Bassett | Foshee | Lemley | Pruitt |
| Berryman (R) | Garrett | McCorquodale | Steagall |
| Berryman (W) | Graham | Meade | Stembridge |
| Blanton | Hardin | Melton | Stubbs |
| Brassell | Higginbotham | Neville | Tuck |
| Collier | Holladay | Owens (W) | Young |

—28

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Dill | Hogan | Pennington |
| Adwell | Dobbs | Holman | Perloff |
| Bank | Doss | House | Sessions |
| Bowers | Downing | Jackson (T) | Smith (C) |
| Brannan | Drake | Jones | Snodgrass |
| Brown | Edington | Laxson | Springer |
| Burgess | Ellis | Lybrand | Starnes |
| Cameron | Gafford | Malone | Thomas |
| Cherner | Gloor | Marr | Turnham |
| Collins (C) | Harris | McElhaney | Waggoner |
| Collins (W) | Haygood | McLain | Wood |
| Cook (Jefferson) | Hill | Meeks | Wright |
| Crane | Hobbie | Merrill | Yeilding |
| Culver | | | |

—52

MOTIONS TO RECESS LOST

The motion of Mr. Fine that the House recess until this afternoon at 12:45 o'clock P. M. was lost.

Yeas 34; Nays 51.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Foshee | Mays | Pruitt |
| Agee | Garrett | McCorquodale | Shumate |
| Bassett | Graham | Meade | Steagall |
| Berryman (R) | Hardin | Melton | Stembridge |
| Berryman (W) | Harper | Neville | Stubbs |
| Blanton | Headley | Owen (Baldwin) | Tuck |
| Brassell | Higginbotham | Owens (W) | Williams |
| Collier | Jackson (F) | Pearson | Young |
| Fine | Lemley | | |

—34

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Hobbie | Pennington |
| Adwell | Dill | Hogan | Perloff |
| Bank | Dobbs | Holman | Sessions |
| Beck | Downing | House | Slate |
| Bowers | Drake | Jackson (T) | Smith (C) |
| Brannan | Edington | Jones | Snodgrass |
| Brown | Ellis | Lybrand | Springer |
| Burgess | Gafford | Malone | Thomas |
| Cameron | Gloor | Marr | Turnham |
| Collins (C) | Grayson | McElhaney | Waggoner |
| Collins (W) | Harris | McLain | Wood |
| Cook (Jefferson) | Haygood | Meeks | Wright |
| Crane | Hill | Merrill | Yeilding |

—51

The motion of Mr. Harper that the House recess until this afternoon at one o'clock P. M. was lost.

Yeas 33; Nays 53.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Pruitt |
| Agee | Garrett | Lemley | Shumate |
| Bassett | Graham | McCorquodale | Steagall |
| Berryman (R) | Hain | Meade | Stembridge |
| Berryman (W) | Harper | Melton | Stubbs |
| Blanton | Headley | Neville | Tuck |
| Brassell | Higginbotham | Owens (W) | Williams |
| Collier | Holladay | Pearson | Young |
| Fine | | | |

—33

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Holman | Merrill |
| Adwell | Dill | House | Pennington |
| Bank | Dobbs | Jackson (T) | Perloff |
| Beck | Downing | Jones | Sessions |
| Bowers | Drake | Kilgore | Slate |
| Brannan | Edington | Lybrand | Smith (C) |
| Brown | Ellis | Malone | Snodgrass |
| Burgess | Gafford | Marr | Springer |
| Cameron | Gloor | Mays | Thomas |
| Cherner | Grayson | McDonald | Waggoner |
| Collins (C) | Harris | McElhaney | Wood |
| Collins (W) | Hill | McLain | Wright |
| Cook (Jefferson) | Hobbie | Meeks | Yeilding |
| Crane | Hogan | | |

—53

MOTION TO ADJOURN LOST

The motion of Mr. Garrett that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 30; Nays 54.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Jackson (F) | Pearson |
| Agee | Foshee | Lemley | Pruitt |
| Bassett | Garrett | McCorquodale | Shumate |
| Berryman (R) | Graham | Meade | Stembridge |
| Berryman (W) | Hardin | Melton | Stubbs |
| Blanton | Harper | Neville | Tuck |
| Brassell | Headley | Owens (W) | Young |
| Dobbs | Higginbotham | | |

—30

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Culver | Holman | Owens (W.E.) |
| Adwell | Dill | House | Pennington |
| Bank | Downing | Jackson (T) | Perloff |
| Beck | Drake | Jones | Sessions |
| Bowers | Edington | Kilgore | Slate |
| Brannan | Ellis | Lybrand | Smith (C) |
| Brown | Gafford | Malone | Snodgrass |
| Burgess | Gloor | Marr | Springer |
| Cameron | Grayson | Mathews | Thomas |
| Cherner | Harris | Mays | Waggoner |
| Collins (C) | Haygood | McElhaney | Wood |
| Collins (W) | Hill | McLain | Wright |
| Cook (Jefferson) | Hobbie | Meeks | Yeilding |
| Crane | Hogan | Merrill | |

—54

MOTIONS TO RECESS LOST

The motion of Mr. Collier that the House recess for thirty minutes was lost.

Yeas 35; Nays 51.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Holladay | Pruitt |
| Agee | Foshee | Jackson (F) | Shumate |
| Bassett | Garrett | Lemley | Slate |
| Berryman (R) | Graham | McCorquodale | Stembridge |
| Berryman (W) | Hain | Meade | Stubbs |
| Blanton | Hardin | Melton | Tuck |
| Brassell | Harper | Neville | Williams |
| Collier | Headley | Owens (W) | Young |
| Dobbs | Higginbotham | Pearson | |

—35

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Crane | Hogan | Owens (W.E.) |
| Adwell | Culver | Holman | Pennington |
| Bank | Dill | House | Perloff |
| Beck | Downing | Jackson (T) | Sessions |
| Bowers | Drake | Jones | Smith (C) |
| Brannan | Edington | Kilgore | Snodgrass |
| Brown | Ellis | Lybrand | Springer |
| Burgess | Gafford | Malone | Thomas |
| Cameron | Gloor | Marr | Turnham |
| Cherner | Grayson | McElhaney | Waggoner |
| Collins (C) | Harris | McLain | Wood |
| Collins (W) | Haygood | Meeks | Wright |
| Cook (Jefferson) | Hobbie | Merrill | Yeilding |

—51

MOTION TO ADJOURN LOST

The motion of Mr. Young that the House adjourn until Friday, April 7, 1967, at twelve o'clock, noon, was lost.

Yeas 34; Nays 54.

Yeas:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Jackson (F) | Pearson |
| Agee | Foshee | Lemley | Pruitt |
| Bassett | Garrett | Mathews | Shumate |
| Berryman (R) | Graham | McCorquodale | Steagall |
| Berryman (W) | Hain | Meade | Stembridge |
| Brassell | Hardin | Melton | Stubbs |
| Collier | Harper | Neville | Tuck |
| Cook (Coffee) | Headley | Owens (W) | Young |
| Dobbs | Higginbotham | | |

—34

Nays:

| | | | |
|----------|------------------|---------|---------|
| Messrs.: | Cameron | Dill | Grayson |
| Adwell | Cherner | Doss | Harris |
| Bank | Collins (C) | Downing | Haygood |
| Beck | Collins (W) | Drake | Hill |
| Bowers | Cook (Jefferson) | Ellis | Hobbie |
| Brannan | Crane | Gafford | Hogan |
| Burgess | Culver | Gloor | Holman |

| | | | |
|-------------|--------------|-----------|----------|
| House | Mays | Perloff | Thomas |
| Jackson (T) | McElhaney | Sessions | Turnham |
| Jones | McLain | Smith (C) | Waggoner |
| Kilgore | Meeks | Smith (P) | Watkins |
| Lybrand | Merrill | Snodgrass | Wright |
| Malone | Owens (W.E.) | Springer | Yeilding |
| Marr | Pennington | Starnes | |

—54

MOTION TABLED

On motion of Mr. Lybrand, the motion of Mr. Brown that the House extend time for speaking beyond the regular limit to Mr. Young was laid upon the table.

Yeas 55; Nays 37.

Yeas:

| | | | |
|------------------|--------------|-------------|--------------|
| Messrs.: | Culver | Hogan | Owens (W.E.) |
| Adwell | Dill | Holman | Pennington |
| Agee | Downing | House | Perloff |
| Bank | Drake | Jackson (T) | Sessions |
| Beck | Ellis | Jones | Shumate |
| Bowers | Fine | Kilgore | Smith (C) |
| Brassell | Gafford | Lybrand | Smith (P) |
| Burgess | Gloor | Malone | Snodgrass |
| Cameron | Grayson | Manley | Springer |
| Cherner | Hain | Marr | Thomas |
| Collins (C) | Harris | McElhaney | Turnham |
| Collins (W) | Higginbotham | McLain | Waggoner |
| Cook (Jefferson) | Hill | Meeks | Wright |
| Crane | Hobbie | Merrill | Yeilding |

—55

Nays:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Foshee | Lemley | Pruitt |
| Bassett | Garrett | Mathews | Slate |
| Berryman (R) | Graham | Mays | Starnes |
| Berryman (W) | Hardin | McCorquodale | Steagall |
| Brannan | Harper | Meade | Stembridge |
| Brown | Haygood | Melton | Stubbs |
| Collier | Headley | Neville | Tuck |
| Cook (Coffee) | Holladay | Owen (Baldwin) | Williams |
| Dobbs | Jackson (F) | Pearson | Young |
| Doss | | | |

—37

MOTION TO ADJOURN LOST

The motion of Mr. Cook (Coffee) that the House adjourn until Thursday, April 6, 1967, at 12:30 o'clock P. M. was lost.

Yeas 31; Nays 59.

Yeas:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Pruitt |
| Bassett | Garrett | Lemley | Steagall |
| Berryman (R) | Graham | Manley | Stembridge |
| Berryman (W) | Hardin | McCorquodale | Stubbs |
| Brassell | Harper | Meade | Tuck |
| Collier | Headley | Melton | Williams |
| Cook (Coffee) | Higginbotham | Neville | Young |
| Fine | Holladay | Owens (W) | |

—31

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | Hogan | Pearson |
| Adwell | Dill | Holman | Pennington |
| Agee | Dobbs | House | Perloff |
| Bank | Doss | Jackson (T) | Sessions |
| Beck | Downing | Jones | Slate |
| Bowers | Drake | Kilgore | Smith (C) |
| Brannan | Edington | Lybrand | Smith (P) |
| Brown | Ellis | Malone | Snodgrass |
| Burgess | Gafford | Marr | Springer |
| Cameron | Gloor | Mathews | Starnes |
| Cherner | Grayson | McElhaney | Thomas |
| Collins (C) | Harris | McLain | Turnham |
| Collins (W) | Haygood | Meeks | Waggoner |
| Cook (Jefferson) | Hill | Merrill | Wright |
| Crane | Hobbie | Owens (W.E.) | Yeilding |

—59

MOTION TO RECESS LOST

The motion of Mr. Stubbs that the House recess until this afternoon at 1:45 o'clock P. M. was lost.

Yeas 38; Nays 52.

Yeas:

| | | | |
|---------------|--------------|--------------|----------------|
| Mr. Speaker | Fine | Jackson (F) | Owen (Baldwin) |
| Agee | Foshee | Lemley | Owens (W) |
| Bassett | Garrett | Manley | Pearson |
| Berryman (R) | Graham | Mathews | Pruitt |
| Berryman (W) | Hain | Mays | Steagall |
| Blanton | Hardin | McCorquodale | Stembridge |
| Brassell | Harper | Meade | Tuck |
| Collier | Headley | Melton | Williams |
| Cook (Coffee) | Higginbotham | Neville | Young |
| Dobbs | Holladay | | |

—38

Nays:

| | | | |
|------------------|---------|-------------|-----------|
| Messrs.: | Dill | House | Perloff |
| Adwell | Downing | Jackson (T) | Sessions |
| Bank | Drake | Jones | Slate |
| Beck | Ellis | Kilgore | Smith (C) |
| Bowers | Gafford | Lybrand | Smith (P) |
| Brannan | Gloor | Malone | Snodgrass |
| Brown | Grayson | Marr | Springer |
| Burgess | Harris | McDonald | Thomas |
| Cameron | Haygood | McElhaney | Turnham |
| Collins (C) | Hill | McLain | Waggoner |
| Collins (W) | Hobbie | Meeks | Wood |
| Cook (Jefferson) | Hogan | Merrill | Wright |
| Crane | Holman | Pennington | Yeilding |
| Culver | | | |

—52

MOTIONS TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until Friday, April 14, 1967, at two o'clock P. M. was lost.

Yeas 27; Nays 60.

Yeas:

| | | | |
|---------------|--------------|--------------|----------|
| Mr. Speaker | Foshee | Lemley | Pearson |
| Agee | Garrett | Manley | Pruitt |
| Bassett | Graham | Mathews | Steagall |
| Brassell | Hardin | McCorquodale | Stubbs |
| Collier | Harper | Meade | Tuck |
| Cook (Coffee) | Higginbotham | Melton | Young |
| Fine | Jackson (F) | Owens (W) | |

—27

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Dobbs | Jackson (T) | Pennington |
| Adwell | Downing | Jones | Perloff |
| Bank | Drake | Kilgore | Sessions |
| Beck | Edington | Lybrand | Smith (C) |
| Bowers | Ellis | Malone | Snodgrass |
| Brannan | Gafford | Marr | Springer |
| Brown | Gloor | Mays | Starnes |
| Burgess | Grayson | McDonald | Thomas |
| Cameron | Harris | McElhaney | Turnham |
| Cherner | Haygood | McLain | Waggoner |
| Collins (C) | Hill | Meeks | Watkins |
| Collins (W) | Hobbie | Merrill | Williams |
| Cook (Jefferson) | Hogan | Neville | Wood |
| Crane | Holman | Owen (Baldwin) | Wright |
| Culver | House | Owens (W.E.) | Yeilding |
| Dill | | | |

—60

The motion of Mr. Melton that the House adjourn until Thursday, April 6, 1967, at two o'clock A. M. was lost.

Yeas 27; Nays 59.

Yeas:

| | | | |
|---------------|--------------|----------------|----------|
| Mr. Speaker | Foshee | Lemley | Pruitt |
| Agee | Garrett | Mays | Slate |
| Bassett | Graham | Meade | Stubbs |
| Brassell | Harper | Melton | Tuck |
| Collier | Headley | Neville | Williams |
| Cook (Coffee) | Higginbotham | Owen (Baldwin) | Young |
| Fine | Jackson (F) | Owens (W) | |

—27

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | House | Perloff |
| Adwell | Dobbs | Jackson (T) | Sessions |
| Bank | Downing | Jones | Smith (C) |
| Beck | Drake | Kilgore | Smith (P) |
| Berryman (W) | Edington | Lybrand | Snodgrass |
| Bowers | Ellis | Malone | Springer |
| Brannan | Gafford | Marr | Starnes |
| Brown | Gloor | Mathews | Steagall |
| Burgess | Grayson | McDonald | Stembridge |
| Cameron | Harris | McElhaney | Thomas |
| Cherner | Haygood | McLain | Waggoner |
| Collins (C) | Hill | Meeks | Watkins |
| Collins (W) | Hobbie | Merrill | Wood |
| Cook (Jefferson) | Hogan | Pearson | Wright |
| Crane | Holman | Pennington | Yeilding |

—59

The motion of Mr. Brassell that the House adjourn until Friday, April 7, 1967, at 10:30 o'clock A. M. was lost.

Yeas 30; Nays 51.

Yeas:

| | | | |
|---------------|---------|--------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pearson |
| Agee | Fine | Lemley | Pruitt |
| Bassett | Foshee | McCorquodale | Steagall |
| Berryman (R) | Garrett | Meade | Stembridge |
| Berryman (W) | Graham | Melton | Stubbs |
| Brassell | Hardin | Neville | Tuck |
| Collier | Harper | Owens (W) | Young |
| Cook (Coffee) | Headley | | |

—30

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Hogan | Pennington |
| Adwell | Dill | Holman | Perloff |
| Bank | Downing | House | Sessions |
| Bowers | Drake | Jackson (T) | Smith (C) |
| Brannan | Edington | Jones | Snodgrass |
| Brown | Ellis | Kilgore | Springer |
| Burgess | Gafford | Malone | Thomas |
| Cameron | Gloor | Marr | Turnham |
| Cherner | Grayson | Mathews | Waggoner |
| Collins (C) | Harris | McElhaney | Watkins |
| Collins (W) | Haygood | McLain | Wood |
| Cook (Jefferson) | Hill | Meeks | Wright |
| Crane | Hobbie | Merrill | Yeilding |

—51

MOTIONS TO RECESS LOST

The motion of Mr. Bassett that the House recess until this afternoon at two o'clock P. M. was lost.

Yeas 34; Nays 52.

Yeas:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Fine | Manley | Owens (W) |
| Agee | Foshee | Mathews | Pearson |
| Bassett | Garrett | Mays | Pruitt |
| Berryman (R) | Graham | McCorquodale | Steagall |
| Berryman (W) | Hardin | Meade | Stembridge |
| Brassell | Harper | Melton | Stubbs |
| Collier | Headley | Neville | Tuck |
| Cook (Coffee) | Jackson (F) | Owen (Baldwin) | Young |
| Dobbs | Lemley | | |

—34

Nays:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Culver | Hogan | Perloff |
| Adwell | Dill | Holman | Sessions |
| Bank | Downing | House | Smith (C) |
| Beck | Drake | Jackson (T) | Smith (P) |
| Bowers | Edington | Jones | Snodgrass |
| Brannan | Ellis | Kilgore | Springer |
| Brown | Gafford | Malone | Starnes |
| Burgess | Gloor | Marr | Thomas |
| Cameron | Grayson | McDonald | Waggoner |
| Cherner | Harris | McElhaney | Watkins |
| Collins (C) | Haygood | McLain | Wood |
| Collins (W) | Hill | Merrill | Wright |
| Cook (Jefferson) | Hobbie | Pennington | Yeilding |
| Crane | | | |

—52

The motion of Mr. Neville that the House recess until this afternoon at 12:55 o'clock P. M. was lost.

Yeas 30; Nays 52.

Yeas:

| | | | |
|-------------|--------------|----------------|-----------|
| Mr. Speaker | Garrett | Lemley | Owens (W) |
| Agee | Graham | Manley | Pearson |
| Bassett | Hardin | Mathews | Pruitt |
| Brannan | Harper | Mays | Steagall |
| Collier | Headley | Meade | Stubbs |
| Dobbs | Higginbotham | Neville | Tuck |
| Fine | Holladay | Owen (Baldwin) | Young |
| Foshee | Jackson (F) | | |

—30

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Culver | Hogan | Pennington |
| Adwell | Doss | Holman | Perloff |
| Bank | Downing | House | Sessions |
| Beck | Drake | Jackson (T) | Smith (C) |
| Berryman (W) | Edington | Jones | Smith (P) |
| Bowers | Ellis | Kilgore | Snodgrass |
| Brown | Gafford | Malone | Springer |
| Burgess | Gloor | Marr | Starnes |
| Cameron | Grayson | McDonald | Thomas |
| Cherner | Harris | McElhaney | Waggoner |
| Collins (C) | Haygood | McLain | Watkins |
| Collins (W) | Hill | Meeks | Wood |
| Cook (Jefferson) | Hobbie | Merrill | Wright |
| Crane | | | |

—52

READING OF JOURNAL RESUMED

The Clerk proceeded to continue the reading of the Journal of the House for the seventeenth legislative day.

JOURNAL FOR THE SEVENTEENTH LEGISLATIVE DAY APPROVED

On motion of Mr. Merrill, the reading at length of the Journal of the House for the seventeenth legislative day having been completed, the Report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the House for the seventeenth legislative day was approved.

BILLS ON SECOND READING

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 218. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 207 (with amendments). Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 59. Relative to the development of the Tennessee-Tombigbee Waterway Project.

Also:

H. J. R. 60. Relative to requesting Congress to consider establishing an adequate and permanent national cemetery.

Also:

H. J. R. 61. Requesting that the Legislature convene as a committee to conduct public hearings on the educational problems of the State of Alabama.

Also:

H. J. R. 62. Commending Honorable MacDonald Gallion, Attorney General of Alabama, for calling upon other state attorneys general to Montgomery to discuss the recent court decision relative to the school systems.

Also:

H. J. R. 63. Granting an extension of time to the Joint Interim Committee created pursuant to S. J. R. 3, Special Session 1966.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lolley and Givhan:

S. 49. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Also:

By Mr. Leonard:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Also:

By Messrs. Hawkins, Skidmore and Morrow:

S. 93. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Also:

By Mr. Givhan:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 49. Ways and Means.
- S. 21. Local Government.
- S. 93. Ways and Means.
- S. 40. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel, McDermott and Pelham:

S. J. R. 37. WHEREAS, a tragic accident occurred near Mobile on March 16 in which one victim was killed and another seriously injured;

WHEREAS, the injured man is alive today only because Dr. J. B. Davis, a young doctor who happened upon the scene shortly after the accident, kindly stopped to see if he could help, and, realizing the exigencies of the situation, promptly performed a tracheotomy with an ordinary pocket knife and inserted an improvised breathing tube thereby saving the life of this young man;

WHEREAS, this young doctor, not only rendered first aid at the scene of the accident, but even abandoned his own car on the highway and rode in the ambulance to the hospital with the injured person in order to continue the needed first-aid treatments and care essential to saving this life; and

WHEREAS, we frequently read of instances in other states where doctors, though anxious to render all the aid they can, under similar circumstances have not done so because of fear of incurring liability in unreasonable amounts for civil damages growing out of the aid rendered; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby commends Dr. Davis for this humanitarian deed in stopping to offer aid at the scene of this accident, evaluating the situation and unhesitatingly and skillfully performing the emergency surgery needed to save this life, then carrying through with his aid until the injured man was hospitalized.

BE IT FURTHER RESOLVED That we rejoice that Alabama is a place where doctors can with impunity follow their natural impulse to stop at the scene of an accident and render aid, for the 1966 Legislature of Alabama enacted the "Good Samaritan Law," exempting doctors and certain other persons from liability for civil damages growing out of emergency care rendered at the scene of an accident.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hogan the rules were suspended and the House concurred in and adopted the S. J. R. 37 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Radney:

S. J. R. 34. WHEREAS Mr. Robert Inman, highly capable newscaster of WSFA-TV, will be married to Miss Paulette Strong on Saturday, April fifteenth in Trinity Methodist Church in Homewood; and

WHEREAS Miss Strong, who is the lovely daughter of Mr. and Mrs. Paul Strong of Birmingham, is currently employed in Montgomery with the Southern Bell Company as school representative; and

WHEREAS Mr. Inman, who is the son of Mr. and Mrs. Louis Frederick Inman of Elba, has been employed with WSFA-TV for the past two years where his personable manner and articulate effectiveness have won for him much favorable recognition; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Bob upon the occasion of his approaching marriage, and wish for the future Mr. and Mrs. Inman every happiness in the years to come.

RESOLVED FURTHER that copies of this resolution be sent to Mr. Inman and to station WSFA-TV.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 34 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Radney:

S. J. R. 35. WHEREAS Alabama is fortunate in being represented in the Senate of the Congress of the United States by two outstanding leaders, Senators Hill and Sparkman; and

WHEREAS Senator Hill from Montgomery is the fourth ranking member of the Senate from the point of continuous service. He was first appointed to the Senate in January 1938, was elected to fill the vacancy of an unexpired term ending in January 1939, and has been reelected for every term since that time. Prior to Senator Hill's service in the Senate, he was elected to fill a vacancy in the House of Representatives in the Sixty-eighth Congress and was renominated and reelected without opposition in the seven succeeding sessions of Congress until he resigned to become a member of the Senate; and

WHEREAS Senator Hill's long tenure of service and devotion to duty have gained him such respect from his colleagues as to place him in one of the most influential and powerful positions in the Senate. He is Chairman of the Standing Committee on Labor and Public Welfare and member of the Standing Committee on Appropriations. He is also a member of the Select and Special Committee on Democratic Policy.

His interest and influence in the building of public hospitals under the Hill-Burton Act are renowned; and

WHEREAS Senator Sparkman of Huntsville was first elected to Congress as a member of the House of Representatives in November 1936, was reelected for five successive terms during which time he served with notable distinction, was a member of the Military Affairs Committee and served as majority whip. In November 1946, he was elected to the Senate to fill the unexpired term of the late Senator John Bankhead. Following his election he resigned from the House to enter upon his duties in the Senate and has been reelected to that body for each successive term. His outstanding abilities of leadership and devotion to the principles of the Democratic Party placed him on the 1952 ticket as candidate for Vice-President of the United States; and

WHEREAS Senator Sparkman is the twelfth ranking member of the Senate from the point of continuous service. He is the Chairman of the Standing Committee on Banking and Currency and second ranking member of the Standing Committee on Foreign Relations. He is a member of the Joint Committees on Defense Production, Organization of the Congress, and Economics. He is Chairman of the Select and Special Committee on Small Business; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this State commends Senator Hill and Senator Sparkman for their long and distinguished careers in the Congress of the United States, and acknowledges with grateful appreciation their arduous devotion to duty and effective leadership in furthering the principles of democracy of Alabama and this country.

RESOLVED FURTHER, That copies of this resolution be sent to Senator Hill and Senator Sparkman.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 35 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pelham, Engel and McDermott:

S. J. R. 36. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby salutes The Honorable Joseph R. Mitternight on his eightieth birthday and extends to him felicitations. During Mr. Mitternight's long and distinguished career in public service he has worked diligently toward promoting the economic expansion, the full development and the general welfare of the Gulf Coast area of Alabama, where he is a popular and outstanding civic and political leader. Among the public offices which he has ably filled are positions on both the county governing body of Mobile County and the city commission of the City of Mobile. Though Mr. Mitternight has now retired and no longer holds a public office, his influence is still felt and his many contributions to his community and this State are remembered with grateful appreciation by his many friends and admirers.

BE IT FURTHER RESOLVED That a duly authenticated copy of this resolution be sent to Mr. Mitternight.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the rules were suspended and the House concurred in and adopted the S. J. R. 36 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel, McDermott and Pelham:

S. J. R. 38. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the untimely death of the Honorable Charles S. Trimmier, a former member of this body. Mr. Trimmier was a native of Illinois who after becoming a citizen of this State contributed much toward the welfare, growth and development of Alabama and particularly of the Gulf Coast region thereof, where he took a very active part in the political and religious life of the area. He was a minister and the founder and for several years director of the non-denominational Mobile Men's Meditation. He served as a chaplain in the armed forces during the Korean Conflict and also as a chaplain of the Alabama Department of the American Legion. While serving as a representative from Mobile County in the Legislature he was elected to the City Commission of Mobile and during a part of his term on this commission he served as Mayor of the City. His many good deeds and his able and conscientious public service are hereby noted with appreciation.

BE IT FURTHER RESOLVED That the sincere sympathy of this body is extended to the surviving members of Mr. Trimmier's family.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the rules were suspended and the House concurred in and adopted the S. J. R. 38 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 48. Calling upon the Governor, the Attorney General, the State Superintendent of Education, and the various city and county boards of education to cooperate fully with any Congressional investigation into the activities of the Department of Health, Education and Welfare.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 21. Relative to the recent controversy concerning certain textbooks advocating various theories on the origin of man.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Also:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Also:

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Also:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Also:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Also:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Also:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Also:

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION NO. 11

By Mr. Cooper:

S. J. R. 11. WHEREAS, The relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

WHEREAS, The states play an indispensable role in our Federal system of government; and

WHEREAS, Unless the trend toward restrictive categorical federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

WHEREAS, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose; now, therefore, be it

RESOLVED by the Senate of the State of Alabama, the House of Representatives concurring, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States.

"ARTICLE

"Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

"Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

"Each state shall share in such remission in proportion as the population of such State bears to the total population of all of the States, according to the last preceding Federal census."; and, be it further

RESOLVED, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to July 1, 1969, this application for a convention shall no longer be of any force or effect; and, be it further

RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each Member of Congress from this State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 11 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McCarley:

S. J. R. 29. WHEREAS, The President of the United States has appointed Harold Howe II as Commissioner of Education; and

WHEREAS, Harold Howe II has used his office to harass, intimidate and coerce local boards of education within the State of Alabama; and

WHEREAS, Harold Howe II has issued so-called guidelines which are not only illegal and transcends the law but which, if followed in the State of Alabama, would completely disrupt and destroy public education in the State of Alabama; and

WHEREAS, The said Harold Howe II has made public speeches calling for riots as occurred in the Watts area of Los Angeles to "spur action" in the school systems; and

WHEREAS, Harold Howe II has also publicly stated, "If it takes violence to change it . . . , well, that's what it takes."; and

WHEREAS, Harold Howe II not only seeks to control every school system in the State of Alabama, but plans to make attempts to control the school systems in the other parts of the country; and

WHEREAS, to allow Harold Howe II to continue as Commissioner of Education will ultimately destroy state and local control of every school system in the country; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Alabama does hereby condemn the activities of Harold Howe II in connection with the school systems of the State of Alabama and do hereby call upon the Congressional Delegation from the State of Alabama to use every means at their disposal to remove the said Harold Howe II from office.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Congressional Delegation from the State of Alabama and to the President of the United States.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ellis the rules were suspended and the House concurred in and adopted the S. J. R. 29 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Also:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Leonard:

S. J. R. 32. WHEREAS James P. Nailen, son of Mr. and Mrs. James F. Nailen of 110 Franklin Avenue, Talladega, Alabama was killed in Vietnam on March 19, 1967; and

WHEREAS prior to entering the service of his country, Mr. Nailen attended Livingston State College for two years, and was later employed by the Southern Bell Company where he had a brilliant and promising future; and

WHEREAS the State of Alabama has suffered a grievous loss in the untimely death of one of its finest young men, who made the supreme sacrifice in upholding the principles for which this country stands; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to Mr. and Mrs. Nailen our deepest and heartfelt sympathy in the loss of their son, James P. Nailen.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. and Mrs. Nailen.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion Of Mr. Smith (P) the rules were suspended and the House concurred in and adopted the S. J. R. 32 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Radney:

S. J. R. 28. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library building now under construction at Alexander City State Junior College shall be known and designated as the Thomas D. Russell Library in recognition and appreciation of Mr. Russell's great dedication and untiring effort in furthering the cause of education in Alabama, and particularly in Tallapoosa County and Alexander City.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harper the rules were suspended and the House concurred in and adopted the S. J. R. 28 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Folsom, Pierce, and Goodwyn:

S. J. R. 33. WHEREAS Bart Starr, alumnus of Montgomery's Sidney Lanier High School and the University of Alabama at which institutions he was a consistently effective and outstanding quarterback, elected professional football as his chosen profession; and

WHEREAS Bart Starr, during his long and brilliant tenure with the Green Bay Packers has added innumerable victories to his powerful team's long string of successful seasons. He has unusual ability to analyse the game, to capitalize on the weaknesses of his opposition and to take advantage of his team's abilities. He is truly an artist in maneuvering the ball and mixing his plays, utilizing his own ability to pass with long, pinpoint precision or to run with speed and agility when his receivers are covered; and

WHEREAS after the Packers won the National Football League championship last season and overwhelmingly defeated the Kansas City Chiefs in the first play off of the American and National Football Leagues, Mr. Starr won the Most Valuable Football Player award; and

WHEREAS Bart Starr has made numerous and successful public appearances in person and on radio and television in which he has exhibited a becoming modesty and gracious manner as to bring credit to himself and to Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Bart Starr upon his long and successful football career. We commend him upon the occasion of his having been named Most Valuable Football Player of 1966, a recognition which he richly deserves, and wish for him many more successful seasons of play.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. Starr and to the Green Bay Packers.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McElhaney the rules were suspended and the House concurred in and adopted the S. J. R. 33 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 46. Encouraging the planting of vegetable gardens to combat unprecedented food prices.

Also:

H. J. R. 47. Commending Honorable Richard Beard, Commissioner of Agriculture and Industries, for his cooperation with the Public Administration Service and with the Legislature.

Also:

H. J. R. 49. Congratulating Coach Paul "Bear" Bryant upon being named Citizen of the Year by the Alabama Broadcasting Association.

Also:

H. J. R. 50. Encouraging the participation of all Alabamians in "Lurleen Wallace Day" in Tuscaloosa.

Also:

H. J. R. 51. Inviting Her Excellency, Governor Lurleen B. Wallace, to address a Joint Session of the Legislature.

Also:

H. J. R. 52. Naming the new gymnasium at Enterprise Junior College the "Ray Lolley Gymnasium."

Also:

H. J. R. 53. Congratulating Dr. J. O. Finney, of Gadsden, Alabama, on his outstanding career.

Also:

H. J. R. 54. Mourning the recent death of former Senator Oliver E. Young, of Vernon, Alabama.

Also:

H. J. R. 55. Commending Messrs. Charles Land and Stan Siegal on their recent awards in the field of sports reporting.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 99. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 99. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Radney:

S. 104. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(Adv. Feb. 17-24-Mar. 3-10)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 17, Feb. 24, March 3, and March 10, all in the year 1967.

W. C. WEAR, JR.

Sworn to and subscribed before me March 10, 1967.

DOROTHY W. MITCHELL,
Notary Public.

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t/2:23 3:2-9-16c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

H. CLAY PLESS.

Sworn to and subscribed before me March 16, 1967.

GEORGE H. FISHER,
Notary Public.

LEGAL NOTICE

State of Alabama, County of Macon. Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(3-16)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James Abrams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

JAMES ABRAMS,
Managing Editor.

Sworn to and subscribed before me March 16, 1967.

MARY P. BAZZEL,
Notary Public.

My commission expires, August, 1968.

NOTICE OF LOCAL BILL

STATE OF ALABAMA
COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 21-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 22, Mar. 1, Mar. 8, and Mar. 15, all in the year 19.....

BONNIE HAND.

Sworn to and subscribed before me March 16, 1967.

PEARL H. HAND,
Notary Public.

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA,
COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To prescribe duties and powers of the stenographic secretary of the District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Feb. 16, 23, March 2, 9

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 16, Feb. 23, March 2, and March 9, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me March 11, 1967.

GROVER L. POOLE,
Circuit Clerk.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Steagall, the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read at length and referred to appropriate Standing Committee as follows:

S. 104. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

Also:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Also:

S. 16. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

Also:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Also:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Also:

S. 19. To make an additional appropriation to the Agricultural Center Board.

Also:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

Also:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Also:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historical architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 59. Relative to the development of the Tennessee-Tombigbee Waterway project.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs the House concurred in and adopted the Senate amendment to the bill, H. 172, said Senate amendment being as follows:

AMENDMENT TO HB 172

Amend House Bill 172 by deleting Sections 2 and 3 thereof, and inserting in lieu thereof the following:

"Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Shelby County, in any bank located in Shelby County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the Sheriff of Shelby County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit."

Yeas 76; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Hobbie | Pearson |
| Adwell | Dill | Holladay | Perloff |
| Agee | Dobbs | Holman | Sessions |
| Bank | Doss | House | Shumate |
| Bassett | Downing | Jackson (F) | Smith (C) |
| Berryman (W) | Drake | Jackson (T) | Smith (P) |
| Bowers | Ellis | Kilgore | Snodgrass |
| Brannan | Fine | Lemley | Starnes |
| Brassell | Foshee | Malone | Steagall |
| Brown | Gafford | Manley | Stembridge |
| Burgess | Garrett | Mathews | Stubbs |
| Cameron | Gloor | McElhaney | Thomas |
| Cherner | Graham | McLain | Tuck |
| Collier | Hardin | Meade | Turnham |
| Collins (C) | Harper | Meeks | Waggoner |
| Collins (W) | Harris | Melton | Wood |
| Cook (Coffee) | Haygood | Money | Wright |
| Cook (Jefferson) | Higginbotham | Neville | Yeilding |
| Crane | Hill | Owen (Baldwin) | Young |

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the bill, H. 117, said Senate amendment being as follows:

Substitute for HB 117

A BILL TO BE ENTITLED AN ACT

To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, the sheriff may appoint and employ not less than sixteen dep-

uties, including a chief deputy, an assistant chief deputy, and a county investigator, whose compensation shall be paid from the general funds of the county, as the salaries of county employees are paid. The compensation of the chief deputy shall be fixed by the sheriff at not less than \$500 a month; the compensation of the assistant chief deputy and of the county investigator shall be fixed by the sheriff at not less than \$475 per month for each; the compensation of each of the other deputies shall be fixed by the sheriff at not less than \$400 per month during the first year of employment by the sheriff and not less than \$450 per month after the first year of employment.

Section 2. The county investigator shall be provided by the county with a suitable automobile and the expenses incurred in the operation thereof on official business; and in addition, the investigator shall be provided a reasonable clothing allowance, and shall be reimbursed expenses incurred for travel outside the county while he is engaged on official business.

Section 3. The sheriff of such county may employ a chief clerk for his office, whose compensation shall be fixed by the sheriff at not less than \$400 a month, which shall be paid from the general funds of the county, as the salaries of county employees are paid.

Section 4. The sheriff of such county may also appoint and employ not less than four jail wardens whose compensation shall be paid from the general funds of the county. Each jail warden shall receive a salary to be fixed by the sheriff at not less than \$350 a month.

Section 5. From time to time, the sheriff may authorize one or more of his deputies to attend training sessions conducted by police academies or schools for law enforcement officers, and the cost thereof, including tuition fees, board, and travel expenses incurred in attending such session, shall be paid by the county.

Section 6. The governing body of any county in which this act applies is hereby authorized and empowered to expend from the general fund of the county, in addition to all other sums now provided by law, for the efficient operation of the office of sheriff and for increasing the salaries or compensation of the deputies, investigators, clerks and jailers above the minimum herein prescribed and for employing additional deputies, investigators, clerks and jailers upon recommendation of the sheriff of the county any amounts deemed to be reasonable and necessary by the said county governing body.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 65; Nays 2.

Yeas:

| | | | |
|-------------|--------------|-------------|---------------|
| Mr. Speaker | Beck | Cameron | Cook (Coffee) |
| Adwell | Berryman (W) | Cherner | Crane |
| Agee | Brassell | Collier | Dill |
| Bank | Brown | Collins (C) | Dobbs |
| Bassett | Burgess | Collins (W) | Downing |

| | | | |
|--------------|--------------|----------------|------------|
| Ellis | Hobbie | McElhaney | Smith (C) |
| Foshee | Holman | Meade | Snodgrass |
| Garrett | House | Meeks | Starnes |
| Gloor | Jackson (F) | Melton | Steagall |
| Graham | Jackson (T) | Merrill | Stembridge |
| Grayson | Kilgore | Money | Stubbs |
| Hardin | Malone | Owen (Baldwin) | Tuck |
| Harper | Manley | Owens (W.E.) | Waggoner |
| Harris | Mays | Perloff | Williams |
| Haygood | McCorquodale | Pruitt | Wood |
| Higginbotham | McDonald | Sessions | Wright |
| Hill | | | |

—65

Nays: Messrs. Culver and Thomas

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pearson the House concurred in and adopted the Senate amendment to the bill, H. 1, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Board of Revenue or like governing body of Autauga County to levy a privilege or license tax on persons, firms and corporations, selling, distributing, or delivering any malt or brewed beverages to retailers in Autauga County; to authorize the Board of Revenue or like governing body of Autauga County to collect the tax, and to authorize the Board of Revenue to make rules and regulations to govern enforcement and collection of the tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue or like governing body of Autauga County may levy a privilege or license tax on all persons, firms and corporations, selling, distributing or delivering to retailers in Autauga County any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) which tax shall be in an amount equal to three cents (\$.03¢) on each twelve (12) fluid ounces or fractional part thereof, sold or distributed within the County; one cent (\$.01¢) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within any incorporated municipality within the County; and two cents (\$.02¢) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the police jurisdiction of any incorporated municipality within the County.

Section 2. The privilege or license tax authorized by this Act shall be collected by or under the supervision of the Board of Revenue or like governing body of Autauga County. The Board of Revenue or like governing body of Autauga County may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this Act, and may also provide reasonable compensation to sellers and distributors of malt or brewed beverages for the expenses of compliance with such rules and regulations. The Board of Revenue or like governing body may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure. Each municipality within the County shall provide aid and assistance in enforcing the tax herein authorized within its territory.

Section 3. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the Board of Revenue or like governing body of Autauga County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute as separate offense.

Section 4. Any person, firm or corporation who fails to pay the tax herein levied within the time prescribed by this Act shall pay, in addition to the tax, a penalty of ten per cent (10%) of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 74; Nays 0.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Drake | House | Perloff |
| Adwell | Edington | Jackson (F) | Pruitt |
| Agee | Ellis | Jackson (T) | Sessions |
| Bassett | Fine | Lemley | Slate |
| Beck | Foshee | Malone | Smith (C) |
| Brassell | Gafford | Manley | Springer |
| Burgess | Garrett | Marr | Starnes |
| Cherner | Gloor | Mathews | Steagall |
| Collier | Graham | Mays | Stembridge |
| Collins (C) | Grayson | McCorquodale | Stubbs |
| Collins (W) | Hardin | McElhaney | Tuck |
| Cook (Coffee) | Harper | Meade | Turnham |
| Cook (Jefferson) | Harris | Meeks | Waggoner |
| Crane | Haygood | Melton | Watkins |
| Culver | Higginbotham | Merrill | Williams |
| Dill | Hill | Money | Wood |
| Dobbs | Hobbie | Owens (W.E.) | Wright |
| Doss | Holladay | Pearson | Young |
| Downing | Holman | | |

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 72, with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

April 5, 1967

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 72, without my approval and with a suggested executive amendment.

It is suggested that you amend House Bill No. 72 by striking the following from Section 5—

“immediately upon its passage and approval by the Governor or upon its otherwise becoming a law”.

and inserting in lieu thereof the following:—

“at the beginning of the next school term in September 1967”.

This suggested executive amendment is made at the request of the authors of said House Bill No. 72, and, if adopted, will remove objections to the bill.

Respectfully,

LURLEEN B. WALLACE,
Governor.

April 5, 1967

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the bill, H. 72, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 76; Nay 1.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Cameron | Downing | Hardin |
| Adwell | Cherner | Drake | Harris |
| Agee | Collier | Edington | Haygood |
| Bassett | Collins (C) | Ellis | Higginbotham |
| Beck | Collins (W) | Fine | Hill |
| Berryman (R) | Cook (Coffee) | Foshee | Hobbie |
| Berryman (W) | Cook (Jefferson) | Gafford | Holman |
| Bowers | Crane | Garrett | House |
| Brannan | Culver | Gloor | Jackson (F) |
| Brassell | Dill | Graham | Jackson (T) |
| Burgess | Dobbs | Grayson | Kilgore |

| | | | |
|-----------|----------------|------------|----------|
| Lemley | Meeks | Pruitt | Stubbs |
| Malone | Merrill | Shumate | Tuck |
| Manley | Money | Smith (C) | Waggoner |
| Marr | Owen (Baldwin) | Snodgrass | Williams |
| Mathews | Owens (W.E.) | Springer | Wood |
| Mays | Pearson | Starnes | Wright |
| McElhaney | Pennington | Steagall | Yeilding |
| Meade | Perloff | Stembridge | Young |

—76

Nay: Mr. Sessions

—1

Which was a majority of the whole number elected to the House.

And said bill:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

As amended by the amendment proposed by Her Excellency, the Governor, was again read at length and passed.

Yeas 74; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Holman | Pennington |
| Adwell | Downing | House | Perloff |
| Agee | Drake | Jackson (F) | Pruitt |
| Bank | Edington | Jackson (T) | Sessions |
| Bassett | Ellis | Kilgore | Shumate |
| Beck | Fine | Lemley | Smith (C) |
| Berryman (R) | Foshee | Malone | Snodgrass |
| Berryman (W) | Gafford | Manley | Springer |
| Bowers | Garrett | Marr | Starnes |
| Brassell | Gloor | Mathews | Steagall |
| Burgess | Graham | McElhaney | Stembridge |
| Cameron | Grayson | Meade | Stubbs |
| Cherner | Hardin | Meeks | Tuck |
| Collier | Harris | Merrill | Waggoner |
| Collins (C) | Haygood | Money | Williams |
| Collins (W) | Higginbotham | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hill | Owens (W.E.) | Wright |
| Crane | Hobbie | Pearson | Yeilding |
| Dill | Hogan | | |

—74

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor returning House Joint Resolution No. 17 without her approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

April 4, 1967

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Resolution originated, House Joint Resolution No. 17, without my signature and approval.

This Resolution is identical to Senate Joint Resolution No. 10, which was approved by me on March 24, 1967, and is now Act No. 12.

Respectfully,

LURLEEN B. WALLACE,
Governor.

April 4, 1967

GOVERNOR'S MESSAGE

The House proceeded to reconsider the resolution:

By Messrs. Turnham, Higginbotham and Brassell:

H. J. R. 17. WHEREAS Mrs. Leila Avary Terrell, a resident of Auburn since 1902 is known and loved by hundreds of Auburn University Alumni; for more than 50 years she roomed and fed Auburn students in her spacious home, serving as counselor and advisor to them; and

WHEREAS Mrs. Terrell, who celebrated her one hundredth birthday on October 27, 1966, is a living example of her belief that "your body may age but you stay young inside;" her youthful outlook, vivacity, and warm personality have endeared her to all who have been fortunate enough to be her friend; and

WHEREAS the Board of Trustees of Auburn University have unanimously recommended the naming of the new South Women's Dormitory Dining Hall for Mrs. Terrell; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mrs. Terrell's devotion and love toward these many Auburn University students, the dining hall described above, shall be designated, named and known as Leila Avary Terrell Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Terrell.

The question was upon the adoption of the resolution, H. J. R. 17, Governor's veto to the contrary notwithstanding.

And the House refused to adopt said resolution over the veto of the Governor.

Yeas 0; Nays 86.

Nays:

| | | | |
|--------------|--------------|------------------|----------|
| Mr. Speaker | Berryman (W) | Cherner | Dill |
| Adwell | Bowers | Collier | Dobbs |
| Agee | Brannan | Collins (W) | Downing |
| Bank | Brassell | Cook (Coffee) | Drake |
| Bassett | Burgess | Cook (Jefferson) | Edington |
| Beck | Burgreen | Crane | Ellis |
| Berryman (R) | Cameron | Culver | Fine |

| | | | |
|--------------|-------------|----------------|------------|
| Foshee | Holladay | Meeks | Springer |
| Gafford | Holman | Melton | Starnes |
| Garrett | House | Merrill | Steagall |
| Gloor | Jackson (F) | Money | Stembridge |
| Graham | Jackson (T) | Owen (Baldwin) | Stubbs |
| Grayson | Jones | Pearson | Tuck |
| Hardin | Kilgore | Pennington | Turnham |
| Harper | Lemley | Perloff | Waggoner |
| Harris | Malone | Pruitt | Watkins |
| Haygood | Manley | Sessions | Williams |
| Headley | Marr | Shumate | Wood |
| Higginbotham | Mays | Slate | Wright |
| Hill | McElhaney | Smith (C) | Yeilding |
| Hobbie | McLain | Snodgrass | Young |
| Hogan | Meade | | |

—86

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor returning House Joint Resolution No. 24 without her approval.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

April 4, 1967

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Resolution originated, House Joint Resolution No. 24, without my signature and approval.

This Resolution is identical to Senate Joint Resolution No. 14, which was approved by me on March 24, 1967, and is now Act No. 13.

Respectfully,
LURLEEN B. WALLACE,
Governor.

April 4, 1967

GOVERNOR'S MESSAGE

The House proceeded to reconsider the resolution:

By Messrs. Lybrand, Merrill and Burgess:

H. J. R. 24. WHEREAS, Dr. Houston Cole, President of Jacksonville State University, is an eminent educator of this State; and

WHEREAS, under his able and devoted administration of the State College at Jacksonville, this institution was developed into a college of university status and its name has recently been changed to indicate this fact; and

WHEREAS, in recognition and appreciation of Dr. Cole's outstanding contributions to the growth and development of Jacksonville University, which have redounded to the City of Jacksonville and, in fact, to the whole State of Alabama, the City of Jacksonville has proclaimed today, March 10, 1967, as "Houston Cole Day in Jacksonville," and the Chamber of Commerce of such city is sponsoring a banquet today to honor Dr. Cole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby joins with the City of Jacksonville in saluting Dr. Cole today.

BE IT FURTHER RESOLVED That the Hon. Lurleen B. Wallace, Governor of Alabama, is hereby respectfully memorialized to designate this day, March 10, 1967, "Houston Cole Day in Alabama" as a token recognition of the invaluable contributions that Dr. Cole has made to the State of Alabama.

The question was upon the adoption of the resolution, H. J. R. 24, Governor's veto to the contrary notwithstanding.

And the House refused to adopt said resolution over the veto of the Governor.

Yeas 0; Nays 83.

Nays:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Hogan | Pennington |
| Adwell | Dill | Holladay | Perloff |
| Agee | Dobbs | Holman | Pruitt |
| Bank | Downing | Jackson (F) | Sessions |
| Bassett | Drake | Jackson (T) | Shumate |
| Beck | Edington | Kilgore | Slate |
| Berryman (R) | Ellis | Laxson | Smith (C) |
| Berryman (W) | Fine | Lemley | Springer |
| Bowers | Foshee | Malone | Starnes |
| Brannan | Gafford | Manley | Steagall |
| Brassell | Garrett | Marr | Stembridge |
| Burgess | Gloor | Mays | Stubbs |
| Burgreen | Graham | McDonald | Tuck |
| Cameron | Grayson | McElhaney | Waggoner |
| Cherner | Hardin | McLain | Watkins |
| Collier | Harper | Meade | Williams |
| Collins (C) | Harris | Meeks | Wood |
| Collins (W) | Haygood | Melton | Wright |
| Cook (Coffee) | Higginbotham | Money | Yeilding |
| Cook (Jefferson) | Hill | Owen (Baldwin) | Young |
| Crane | Hobbie | Pearson | |

—83

Which was a majority of the whole number elected to the House.

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 65. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Senate Joint Resolution No. 10 be known as the Torbert-Turnham-Brassell-Higginbotham resolution.

On motion of Mr. Turnham the rules were suspended and H. J. R. 65 was adopted.

MOTION TO RECESS LOST

The motion of Mr. Neville that the House recess until this afternoon at 1:45 o'clock P. M. was lost.

Yeas 31; Nays 55.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Lemley | Shumate |
| Agee | Foshee | Mathews | Slate |
| Bassett | Graham | McCorquodale | Stembridge |
| Berryman (R) | Hardin | Meade | Stubbs |
| Berryman (W) | Harper | Melton | Tuck |
| Blanton | Headley | Owen (Baldwin) | Williams |
| Brassell | Higginbotham | Pearson | Young |
| Collier | Jackson (F) | Pruitt | |

—31

Nays:

| | | | |
|------------------|----------|-------------|------------|
| Messrs.: | Crane | Hogan | Money |
| Adwell | Culver | Holman | Pennington |
| Bank | Dill | House | Perloff |
| Beck | Doss | Jackson (T) | Sessions |
| Bowers | Downing | Jones | Smith (C) |
| Brannan | Drake | Kilgore | Smith (P) |
| Brown | Edington | Laxson | Snodgrass |
| Burgess | Ellis | Lybrand | Springer |
| Burgreen | Gafford | Malone | Thomas |
| Cameron | Gloor | Marr | Waggoner |
| Cherner | Grayson | Mays | Watkins |
| Collins (C) | Haygood | McElhaney | Wood |
| Collins (W) | Hill | McLain | Wright |
| Cook (Jefferson) | Hobbie | Meeks | Yeilding |

—55

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bowers to suspend the rules in order to postpone consideration of the bill, H. 152, until the twentieth legislative day was adopted.

Yeas 73; Nays 16.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | House | Perloff |
| Adwell | Doss | Jackson (T) | Pruitt |
| Bank | Downing | Jones | Sessions |
| Beck | Drake | Kilgore | Shumate |
| Berryman (R) | Edington | Laxson | Slate |
| Blanton | Ellis | Malone | Smith (C) |
| Bowers | Fine | Marr | Smith (P) |
| Brannan | Gafford | Mathews | Snodgrass |
| Brassell | Gloor | Mays | Springer |
| Brown | Grayson | McDonald | Starnes |
| Burgess | Harris | McElhaney | Thomas |
| Cameron | Haygood | McLain | Tuck |
| Cherner | Headley | Meade | Waggoner |
| Collins (C) | Higginbotham | Meeks | Watkins |
| Collins (W) | Hill | Money | Wood |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |
| Culver | Holman | Pennington | Young |
| Dill | | | |

—73

Nays:

| | | | |
|--------------|---------|-------------|-----------|
| Messrs.: | Garrett | Jackson (F) | Neville |
| Bassett | Graham | Lemley | Owens (W) |
| Berryman (W) | Hardin | Manley | Pearson |
| Burgreen | Harper | Melton | Stubbs |
| Foshee | | | |

—16

H. 152 POSTPONED

On motion of Mr. Bowers, consideration of the bill, H. 152, was postponed until the twentieth legislative day.

BILLS ON THIRD READING

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Doss | House | Owens (W.E.) |
| Adwell | Downing | Jackson (F) | Pearson |
| Bank | Drake | Jackson (T) | Pennington |
| Bassett | Edington | Jones | Perloff |
| Beck | Ellis | Kilgore | Pruitt |
| Berryman (R) | Fine | Laxson | Sessions |
| Berryman (W) | Foshee | Lemley | Shumate |
| Blanton | Garrett | Malone | Slate |
| Bowers | Gloor | Marr | Smith (C) |
| Brannan | Graham | Mays | Smith (P) |
| Brassell | Grayson | McCorquodale | Starnes |
| Brown | Hain | McDonald | Steagall |
| Burgess | Hardin | McElhaney | Stembridge |
| Burgreen | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Tuck |
| Collins (C) | Haygood | Meeks | Waggoner |
| Collins (W) | Headley | Melton | Watkins |
| Cook (Jefferson) | Higginbotham | Money | Williams |
| Crane | Hill | Neville | Wood |
| Culver | Hobbie | Owen (Baldwin) | Yielding |
| Dill | Hogan | Owens (W) | Young |
| Dobbs | Holman | | |

—86

And the bill:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Bank | Downing | Jones | Pruitt |
| Bassett | Drake | Kilgore | Sessions |
| Beck | Edington | Laxson | Shumate |
| Berryman (R) | Ellis | Lemley | Slate |
| Berryman (W) | Fine | Malone | Smith (C) |
| Blanton | Foshee | Marr | Smith (P) |
| Bowers | Gloor | Mays | Snodgrass |
| Brannan | Graham | McDonald | Starnes |
| Brassell | Grayson | McElhaney | Steagall |
| Brown | Hain | McLain | Stembridge |
| Burgess | Hardin | Meade | Stubbs |
| Burgreen | Harris | Meeks | Tuck |
| Cameron | Haygood | Melton | Waggoner |
| Collier | Headley | Money | Watkins |
| Collins (C) | Higginbotham | Neville | Williams |
| Collins (W) | Hill | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Hobbie | Owens (W) | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |
| Culver | Holman | Pearson | Young |
| Dill | House | | |

—86

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until Friday, April 7, 1967, at two o'clock P. M. was lost.

Yeas 32; Nays 62.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Jackson (F) | Pearson |
| Bassett | Graham | Lemley | Pruitt |
| Berryman (R) | Hain | Manley | Shumate |
| Blanton | Hardin | McCorquodale | Steagall |
| Brassell | Harper | Meade | Stembridge |
| Collier | Headley | Melton | Stubbs |
| Dobbs | Higginbotham | Neville | Tuck |
| Fine | Holladay | Owens (W) | Young |

—32

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Dill | House | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Bank | Downing | Jones | Sessions |
| Beck | Drake | Kilgore | Slate |
| Berryman (W) | Edington | Laxson | Smith (C) |
| Bowers | Ellis | Lybrand | Smith (P) |
| Brannan | Gafford | Malone | Snodgrass |
| Brown | Garrett | Marr | Starnes |
| Burgess | Gloor | Mays | Thomas |
| Burgreen | Grayson | McDonald | Waggoner |
| Cameron | Harris | McElhaney | Watkins |
| Collins (C) | Haygood | McLain | Weeks |
| Collins (W) | Hill | Meeks | Wood |
| Cook (Jefferson) | Hobbie | Money | Wright |
| Crane | Hogan | Owen (Baldwin) | Yeilding |
| Culver | Holman | Owens (W.E.) | |

—62

MOTION TO SUSPEND RULES LOST

The motion of Mr. Lybrand to suspend the rules in order to temporarily postpone consideration of the bill, H. 176, and pending amendment, was lost.

Yeas 57; Nays 38.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Doss | Jackson (T) | Sessions |
| Adwell | Downing | Jones | Slate |
| Bank | Drake | Kilgore | Smith (C) |
| Beck | Edington | Laxson | Smith (P) |
| Bowers | Ellis | Malone | Snodgrass |
| Brown | Gafford | Marr | Springer |
| Burgess | Gloor | McDonald | Starnes |
| Cameron | Grayson | McElhaney | Thomas |
| Cherner | Harris | McLain | Waggoner |
| Collins (C) | Haygood | Meeks | Watkins |
| Collins (W) | Hill | Merrill | Weeks |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | Wood |
| Crane | Hogan | Pennington | Wright |
| Culver | Holman | Perloff | Yeilding |
| Dill | House | | |

—57

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Foshee | Lemley | Pearson |
| Bassett | Garrett | Manley | Pruitt |
| Berryman (R) | Graham | Mathews | Shumate |
| Berryman (W) | Hain | McCorquodale | Steagall |
| Brannan | Hardin | Meade | Stembridge |
| Brassell | Harper | Melton | Stubbs |
| Burgreen | Headley | Neville | Tuck |
| Collier | Higginbotham | Owen (Baldwin) | Williams |
| Dobbs | Holladay | Owens (W) | Young |
| Fine | Jackson (F) | | |

—38

MOTION TO ADJOURN LOST

The motion of Mr. Garrett that the House adjourn until Thursday, April 6, 1967, at four o'clock P. M. was lost.

Yeas 28; Nays 63.

Yeas:

| | | | |
|-------------|--------------|--------------|------------|
| Mr. Speaker | Graham | Lemley | Pearson |
| Bassett | Hain | Manley | Pruitt |
| Brassell | Hardin | McCorquodale | Steagall |
| Collier | Harper | Meade | Stembridge |
| Fine | Headley | Melton | Stubbs |
| Foshee | Higginbotham | Neville | Tuck |
| Garrett | Jackson (F) | Owens (W) | Young |

—28

Nays:

| | | | |
|----------|-------------|------------------|----------|
| Messrs.: | Bowers | Collins (W) | Doss |
| Adwell | Brannan | Cook (Jefferson) | Downing |
| Bank | Brown | Crane | Drake |
| Beck | Burgess | Culver | Edington |
| Blanton | Cameron | Dill | Ellis |
| Burgreen | Collins (C) | Dobbs | Gafford |

| | | | |
|-------------|-----------|----------------|-----------|
| Gloor | Jones | Money | Snodgrass |
| Grayson | Kilgore | Owen (Baldwin) | Springer |
| Harris | Laxson | Owens (W.E.) | Starnes |
| Haygood | Malone | Pennington | Thomas |
| Hill | Marr | Perloff | Waggoner |
| Hobbie | McDonald | Sessions | Watkins |
| Hogan | McElhaney | Shumate | Weeks |
| Holman | McLain | Slate | Wood |
| House | Meeks | Smith (C) | Wright |
| Jackson (T) | Merrill | Smith (P) | Yeilding |

—63

MOTION TO INDEFINITELY POSTPONE H. 176 AND PENDING AMENDMENT LOST

The motion of Mr. Lybrand to indefinitely postpone consideration of the bill, H. 176, and pending amendment was lost.

Yeas 26; Nays 68.

Yeas:

| | | | |
|--------------|--------------|-----------|----------|
| Mr. Speaker | Foshee | Lemley | Shumate |
| Bassett | Garrett | Manley | Steagall |
| Berryman (R) | Hardin | Meade | Stubbs |
| Brassell | Harper | Melton | Tuck |
| Burgreen | Headley | Neville | Williams |
| Collier | Higginbotham | Owens (W) | Young |
| Fine | Jackson (F) | | |

—26

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Doss | Jackson (T) | Pennington |
| Adwell | Downing | Jones | Perloff |
| Bank | Drake | Kilgore | Sessions |
| Beck | Edington | Laxson | Slate |
| Berryman (W) | Ellis | Malone | Smith (C) |
| Bowers | Gafford | Marr | Smith (P) |
| Brannan | Gloor | Mathews | Snodgrass |
| Brown | Graham | Mays | Springer |
| Burgess | Grayson | McDonald | Starnes |
| Cameron | Harris | McElhaney | Stembridge |
| Cherner | Haygood | McLain | Thomas |
| Collins (C) | Hill | Meeks | Waggoner |
| Collins (W) | Hobbie | Merrill | Watkins |
| Cook (Jefferson) | Hogan | Money | Weeks |
| Crane | Holladay | Owen (Baldwin) | Wood |
| Culver | Holman | Owens (W.E.) | Wright |
| Dill | House | Pearson | Yeilding |
| Dobbs | | | |

—68

BILLS ON THIRD READING RESUMED

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

And the following pending amendment offered by Mr. Pruitt on the seventeenth legislative day:

In Section 1, second paragraph, strike out the following words and figures:

| (a) For each automobile having the following gross weight in pounds | Amount of License Tax |
|---|-----------------------|
| 0 to 1800 | \$ 8.00 |
| 1801 to 2500 | 12.00 |
| 2501 to 3000 | 15.00 |
| 3001 or more | 18.00 |

and insert in lieu thereof the following:

(a) For each automobile, thirteen dollars (\$13.00);

Was again taken up.

MOTION TO TABLE

Mr. Lybrand moved to lay on the table the amendment offered by Mr. Pruitt to the bill, H. 176, heretofore set out.

MOTION LOST

The motion of Mr. Bassett that the House recess for the meeting of the Committee of the Whole Legislature and when the purpose of the Committee of the Whole Legislature is accomplished that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 35; Nays 60.

Yeas:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Foshee | Lemley | Pruitt |
| Bassett | Garrett | Manley | Steagall |
| Berryman (R) | Graham | Mays | Stembridge |
| Berryman (W) | Hain | McCorquodale | Stubbs |
| Brassell | Hardin | Meade | Tuck |
| Brown | Harper | Melton | Turnham |
| Collier | Headley | Neville | Williams |
| Dobbs | Higginbotham | Owens (W) | Young |
| Fine | Jackson (F) | Pearson | |

—35

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Dill | House | Pennington |
| Adwell | Doss | Jackson (T) | Perloff |
| Bank | Downing | Jones | Sessions |
| Beck | Drake | Kilgore | Slate |
| Blanton | Edington | Laxson | Smith (C) |
| Bowers | Ellis | Malone | Smith (P) |
| Brannan | Gafford | Marr | Springer |
| Burgess | Gloor | McDonald | Starnes |
| Burgreen | Grayson | McElhaney | Thomas |
| Cameron | Harris | McLain | Waggoner |
| Cherner | Haygood | Meeks | Watkins |
| Collins (C) | Hill | Merrill | Weeks |
| Collins (W) | Hobbie | Money | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Crane | Holman | Owens (W.E.) | Yeilding |
| Culver | | | |

—60

RECESS

On motion of Mr. Lybrand the House recessed until ten minutes after the adjournment of the Committee of the Whole Legislature.

Yeas 76; Nays 17.

Yeas:

| | | | |
|------------------|-----------|----------------|--------------|
| Mr. Speaker | Dobbs | Holman | Owens (W.E.) |
| Adwell | Doss | House | Pennington |
| Bank | Downing | Jackson (F) | Perloff |
| Beck | Drake | Jackson (T) | Sessions |
| Berryman (R) | Edgington | Jones | Smith (C) |
| Bowers | Ellis | Kilgore | Smith (P) |
| Brannan | Fine | Laxson | Snodgrass |
| Brown | Gafford | Malone | Springer |
| Burgess | Gloor | Mathews | Starnes |
| Burgreen | Graham | Mays | Stembridge |
| Cameron | Grayson | McCorquodale | Thomas |
| Cherner | Hain | McDonald | Waggoner |
| Collier | Harris | McElhaney | Watkins |
| Collins (C) | Haygood | Meade | Weeks |
| Collins (W) | Headley | Meeks | Williams |
| Cook (Jefferson) | Hill | Melton | Wood |
| Crane | Hobbie | Money | Wright |
| Culver | Hogan | Neville | Yeilding |
| Dill | Holladay | Owen (Baldwin) | Young |

—76

Nays:

| | | | |
|--------------|--------------|---------|----------|
| Messrs.: | Foshee | Lemley | Shumate |
| Bassett | Garrett | Marr | Steagall |
| Berryman (W) | Hardin | McLain | Stubbs |
| Blanton | Harper | Pearson | Turnham |
| Brassell | Higginbotham | | |

—17

COMMITTEE OF THE WHOLE LEGISLATURE

The hour of 2:00 o'clock P. M. having arrived, the Senate and House of Representatives of Alabama met in joint session in the Hall of the House of Representatives in accordance with House Joint Resolution No. 61 heretofore adopted for the purpose of resolving themselves into a Committee of the Whole Legislature.

The Committee of the Whole Legislature was called to order by Honorable Albert P. Brewer, Lieutenant Governor and Presiding Officer of the Senate.

On a call of the roll of the House the following members answered to their names:

| | | | |
|--------------|------------------|-----------|--------------|
| Mr. Speaker | Brassell | Culver | Gloor |
| Adwell | Brown | Dill | Graham |
| Agee | Burgess | Dobbs | Grayson |
| Bank | Burgreen | Doss | Hain |
| Bassett | Cameron | Downing | Hardin |
| Beck | Cherner | Drake | Harper |
| Berryman (R) | Collier | Edgington | Harris |
| Berryman (W) | Collins (C) | Ellis | Haygood |
| Blanton | Collins (W) | Fine | Headley |
| Bolton | Cook (Coffee) | Foshee | Higginbotham |
| Bowers | Cook (Jefferson) | Gafford | Hill |
| Brannan | Crane | Garrett | Hobbie |

| | | | |
|-------------|----------------|--------------|------------|
| Hogan | Mathews | Owens (W.E.) | Steagall |
| Holladay | Mays | Pearson | Stembridge |
| Holman | McCorquodale | Pennington | Stubbs |
| House | McDonald | Perloff | Thomas |
| Jackson (F) | McElhaney | Pruitt | Tuck |
| Jackson (T) | McLain | Sessions | Turnham |
| Jones | Meade | Shumate | Waggoner |
| Kilgore | Meeks | Slate | Watkins |
| Laxson | Melton | Smith (C) | Weeks |
| Lemley | Merrill | Smith (P) | Williams |
| Lybrand | Money | Snell | Wood |
| Malone | Neville | Snodgrass | Wright |
| Manley | Owen (Baldwin) | Springer | Yeilding |
| Marr | Owens (W) | Starnes | Young |

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Committee of the Whole Legislature having been accomplished the Senate would retire to its Chamber.

The House reconvened. The Speaker called the House to order.

MOTIONS TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until Thursday, April 6, 1967, at ten o'clock A. M. was lost.

Yeas 15; Nays 57.

Yeas:

| | | | |
|--------------|----------|----------------|------------|
| Mr. Speaker | Dobbs | Money | Shumate |
| Berryman (R) | Graham | Owen (Baldwin) | Stembridge |
| Berryman (W) | Holladay | Pearson | Stubbs |
| Bolton | Mathews | Pruitt | |

—15

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | Holman | Pennington |
| Adwell | Dill | House | Perloff |
| Bank | Doss | Jackson (T) | Sessions |
| Beck | Downing | Jones | Smith (C) |
| Bowers | Drake | Kilgore | Smith (P) |
| Brannan | Edington | Laxson | Snodgrass |
| Brown | Ellis | Malone | Springer |
| Burgess | Gafford | Marr | Starnes |
| Burgreen | Gloor | McDonald | Thomas |
| Cameron | Grayson | McElhaney | Waggoner |
| Cherner | Harris | McLain | Watkins |
| Collins (C) | Haygood | Meeks | Weeks |
| Collins (W) | Hill | Merrill | Wright |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | Yeilding |
| Crane | Hogan | | |

—57

The motion of Mr. Garrett that the House adjourn until Friday, April 7, 1967, at ten o'clock A. M. was lost.

Yeas 31; Nays 54.

Yeas:

| | | | |
|--------------|---------------|---------|--------------|
| Mr. Speaker | Brassell | Dobbs | Graham |
| Bassett | Burgreen | Fine | Harper |
| Berryman (R) | Collier | Foshee | Headley |
| Berryman (W) | Cook (Coffee) | Garrett | Higginbotham |

| | | | |
|--------------|-----------|----------|------------|
| Holladay | Meade | Pearson | Stembridge |
| Jackson (F) | Melton | Pruitt | Tuck |
| Lemley | Money | Snell | Young |
| McCorquodale | Owens (W) | Steagall | —31 |

Nays:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Downing | Jackson (T) | Perloff |
| Bank | Drake | Jones | Sessions |
| Beck | Edington | Kilgore | Smith (C) |
| Bowers | Ellis | Laxson | Smith (P) |
| Brannan | Gafford | Malone | Snodgrass |
| Brown | Gloor | Marr | Starnes |
| Burgess | Grayson | Mays | Thomas |
| Cameron | Harris | McDonald | Waggoner |
| Cherner | Haygood | McElhaney | Watkins |
| Collins (C) | Hill | McLain | Wood |
| Collins (W) | Hobbie | Meeks | Wright |
| Cook (Jefferson) | Hogan | Merrill | Yeilding |
| Crane | Holman | Owen (Baldwin) | —54 |

The motion of Mr. Garrett that the House adjourn until Friday, April 7, 1967, at 10:01 o'clock A. M. was lost.

Yeas 11; Nays 51.

Yeas:

| | | | |
|--------------|--------------|------------|----------|
| Mr. Speaker | Dobbs | Money | Stubbs |
| Berryman (W) | Graham | Smith (P) | Williams |
| Collier | McCorquodale | Stembridge | —11 |

Nays:

| | | | |
|------------------|---------|-------------|--------------|
| Messrs.: | Crane | Hogan | Meeks |
| Adwell | Culver | Holman | Merrill |
| Bank | Dill | House | Owens (W.E.) |
| Bolton | Downing | Jackson (T) | Pennington |
| Bowers | Drake | Jones | Perloff |
| Brannan | Ellis | Kilgore | Sessions |
| Brown | Gafford | Laxson | Smith (C) |
| Burgess | Gloor | Lybrand | Springer |
| Cameron | Grayson | Malone | Thomas |
| Cherner | Harris | Marr | Waggoner |
| Collins (C) | Haygood | McDonald | Watkins |
| Collins (W) | Hill | McElhaney | Wright |
| Cook (Jefferson) | Hobbie | McLain | Yeilding |
| | | | —51 |

BILLS ON THIRD READING RESUMED

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

And pending amendment was again taken up.

The question was then on the motion of Mr. Lybrand to lay on the table the amendment offered by Mr. Pruitt to the bill, H. 176, heretofore set out, and said motion was adopted.

Yeas 50; Nays 28.

Yeas:

| | | | |
|------------------|-------------|------------|-----------|
| Messrs.: | Edington | Jones | Perloff |
| Adwell | Ellis | Kilgore | Sessions |
| Bank | Gafford | Laxson | Smith (C) |
| Bowers | Gloor | Malone | Snodgrass |
| Brown | Grayson | Marr | Starnes |
| Burgess | Harris | Mays | Thomas |
| Cameron | Haygood | McDonald | Waggoner |
| Cherner | Hill | McElhaney | Watkins |
| Collins (C) | Hobbie | McLain | Weeks |
| Collins (W) | Hogan | Meeks | Wood |
| Cook (Jefferson) | Holman | Merrill | Wright |
| Crane | House | Money | Yeilding |
| Downing | Jackson (T) | Pennington | |

—50

Nays:

| | | | |
|---------------|---------|--------------|-----------|
| Mr. Speaker | Culver | Higginbotham | Owens (W) |
| Berryman (R) | Fine | Jackson (F) | Pruitt |
| Berryman (W) | Foshee | Manley | Springer |
| Brannan | Garrett | Mathews | Steagall |
| Brassell | Graham | McCorquodale | Stubbs |
| Burgreen | Harper | Melton | Tuck |
| Cook (Coffee) | Headley | Neville | Young |

—28

Mr. Garrett offered the following amendment to the bill, H. 176:

Amend. to House Bill 176; § 693 (b) by striking out "three" & substituting therefor "five."

On motion of Mr. Lybrand the amendment offered by Mr. Garrett to the bill, H. 176, was laid upon the table.

Yeas 57; Nays 27.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Dill | Jackson (T) | Perloff |
| Agee | Doss | Jones | Sessions |
| Bank | Downing | Kilgore | Slate |
| Beck | Edington | Laxson | Smith (C) |
| Bowers | Ellis | Malone | Smith (P) |
| Brannan | Gafford | Marr | Snodgrass |
| Brown | Gloor | McDonald | Springer |
| Burgess | Grayson | McElhaney | Starnes |
| Cameron | Harris | McLain | Stembridge |
| Cherner | Haygood | Meeks | Thomas |
| Collins (C) | Hill | Money | Waggoner |
| Collins (W) | Hobbie | Owens (W.E.) | Wood |
| Cook (Jefferson) | Hogan | Pearson | Yeilding |
| Crane | Holman | | |

—57

Nays:

| | | | |
|--------------|--------------|--------------|----------|
| Mr. Speaker | Foshee | Lemley | Snell |
| Berryman (R) | Garrett | Manley | Steagall |
| Berryman (W) | Graham | McCorquodale | Stubbs |
| Brassell | Harper | Meade | Tuck |
| Burgreen | Headley | Melton | Williams |
| Collier | Higginbotham | Neville | Young |
| Fine | Jackson (F) | Owens (W) | |

—27

Mr. Lybrand offered the following substitute for the bill, H. 176:

Substitute for H. B. 176

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to place certain duties on the director of the state highway department, the state commissioner of revenue, the state comptroller and the state treasurer; to prescribe penalties; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Unless the context clearly indicates a different meaning all words and phrases which are defined in Code of Alabama 1940, Title 51, Chapter 20, Article 8, and particularly in Section 692 thereof, shall have the same meanings for purposes of this act as are ascribed to them in said Article 8.

Section 2. In addition to all other taxes and license and registration fees or charges levied pursuant to law upon motor vehicles or upon the privilege of using motor vehicles upon the public roads or highways of this state, there is hereby levied and shall be paid annually on each motor vehicle licensed in Alabama a special registration fee. Such special registration fee shall be:

(a) For each automobile, ten dollars (\$10.00). Station wagons, jeeps, and similar motor vehicles that are designed primarily for the transportation of passengers and that are kept for private use shall be deemed to be automobiles designed and used primarily for private passenger purposes within the meaning of this section. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks", regardless of the use made of any such motor truck and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute automobiles designed and used primarily for private passenger purposes; and house trailers shall also not be deemed to constitute such automobiles.

(b) On motorcycles:

(1) For each motorcycle—four dollars;

(c) On mobile homes:

(1) For each mobile home—five dollars;

(d) On trucks:

(1) For "pick-up" trucks, which are licensed pursuant to Act No. 775, H. 40, Regular Session 1953 (Acts 1953, p. 1046)—seven dollars,

(2) for other trucks when not used for hire or as common carriers and not to be licensed under Act No. 672, H. 479, Regular Session 1961 (Acts 1961, p. 921), as amended, the special registration fee hereby levied shall be based on the manufacturer's rated capacity stamped on the truck and shall be:

- (a) For trucks less than one ton—ten dollars,
- dollars, (b) for trucks of one ton and less than two tons—twelve
- dollars, (c) for trucks of two tons and less than three tons—fourteen
- dollars, (d) for trucks of three tons and less than four tons—sixteen
- dollars, (e) for trucks of four tons and less than five tons—eighteen
- dollars, (f) for trucks of five tons or more—twenty dollars;

(3) For each truck and each truck-trailer which is operated for hire or under any rental, lease or other agreement whereby compensation is charged for the use of such vehicle and such vehicle is to be licensed under Act No. 672, H. 479, Regular Session 1961 (Acts 1961, p. 921), as amended, the special registration fee hereby levied shall be based on the maximum gross weight of the vehicle in the same manner as the license prescribed in said Act No. 672, and shall be the amount set out below for trucks or truck-tractors having maximum gross weights within the brackets below:

- (a) 0 to 8,000 pounds—ten dollars
- (b) 8,001 to 12,000 pounds—twelve dollars
- (c) 12,001 to 18,000 pounds—fourteen dollars
- (d) 18,001 to 24,000 pounds—sixteen dollars
- (e) 24,001 to 30,000 pounds—eighteen dollars
- (f) 30,001 to 36,000 pounds—twenty dollars
- (g) 36,001 to 42,000 pounds—twenty-two dollars
- (h) 42,001 or more pounds—twenty-four dollars
- (e) On taxicabs:
 - (1) For each vehicle—ten dollars;
- (f) On busses:
 - (1) For each bus operated as a common carrier or for hire—ten dollars;
- (g) On ambulances and hearses:
 - (1) for each vehicle—five dollars;
- (h) On trailers and semi-trailers:

(1) On trailers and semi-trailers to be licensed under Code of Alabama 1940, Title 51, Section 703 the special registration fee hereby levied shall be the same amount prescribed above in subsection d(2) for the truck by which the trailer or semi-trailer is drawn,

(2) on trailers and semi-trailers, which are to be licensed under Act No. 672, H. 479, Regular Session 1961, as amended (cited supra) the special registration fee hereby levied shall be fifteen dollars.

Section 3. It is provided, however, that for new and used vehicles acquired or brought into the state subsequent to November fifteenth in any tax year the registration fee hereby levied shall be computed on a

quarterly declining basis of one-fourth off for each quarter of the fiscal year which has expired, and that the purchaser shall pay only for the then remaining months of the tax year. In figuring the registration fee on a one-quarter reduction for each quarter, the amount of any fraction shall be figured to the nearest ten cents above the fraction thereof; but in no event shall the registration fee be less than two dollars.

Section 4. Motor vehicles owned and used by the state, counties or municipalities of this state shall not be liable for the payment of the registration fee hereby levied. Every trailer or semi-trailer and every other vehicle which is exempt from paying a license under Code of Alabama 1940, Title 51, Chapter 20, Article 8 is also exempt from paying the special registration fee hereby levied.

Section 5. The special registration fees hereby levied shall be collected by the judges of probate or other officials issuing motor vehicle in the counties at the same time that the licenses prescribed by Code of Alabama 1940, Title 51, Chapter 20, Article 8 are collected, and the receipts and tags issued to evidence the payment of the license and registration fees prescribed in said article shall be evidence of the payment of the registration fee hereby levied. The judges of probate or other officials issuing motor vehicle licenses are hereby directed not to issue or deliver a license tag to an applicant therefor unless such applicant pays the special registration fee hereby prescribed in addition to any and all taxes, fees and charges which are prerequisite to the issuance and delivery of the receipts and tags pursuant to said Article 8.

Section 6. The moneys collected as special registration fees under this act, less the probate judges' commission and all expenses of collection, shall be distributed as follows:

Eighty-eight percent of the total net revenues, which shall be defined as revenues remaining after the deduction of commissions and expenses from the total revenues received under this act, shall be paid into the state treasury to the credit of the public road and bridge fund and shall be disbursed as follows: 1) So much thereof as may be necessary shall be used to pay at their respective maturities the principal of and interest on bonds issued after March 1, 1967, by Alabama Highway Authority, a public corporation created under Act No. 43 adopted at the First Special Session of 1955 of the Legislature; and 2) the balance thereof shall be used by the highway department for any purpose for which the public road and bridge fund may be lawfully used.

Twelve percent of the net revenues derived under this act shall be set aside in the state treasury to the credit of the several counties of the state and the municipalities therein and shall be divided as follows: Seventy percent of said twelve percent shall be divided equally among the several counties of the state, and the governing bodies of the several counties shall apportion such funds between the county and the cities and towns therein proportionately on the basis of the total number of motor vehicles registered within the county and the several municipalities therein. Thirty percent of the said twelve percent shall be apportioned among the several counties of the state in the direct proportion that their total vehicular registration bears to the total vehicular registration of the whole state; and such funds so allocated shall be divided between the county and the cities and towns therein proportionately on a motor vehicle registration situs basis as above provided.

Payments of the amounts herein allocated or provided for counties shall be made quarterly by state warrant to be mailed to the treasurers or depositories of said counties; and allocations to cities and towns shall be made forthwith upon receipt of such funds by the several counties.

The proceeds from the registration fees hereby levied derived by the state, and by the municipalities of the state, respectively, may be used for the same purposes and only these purposes, as moneys derived by the state and the municipalities thereof from motor vehicle licenses levied by Code of Alabama 1940, Title 51, Chapter 20, Article 8.

Section 7. The judge of probate or other official issuing motor vehicle licenses in each county shall, at the same time and in the same manner that he remits his collections of motor vehicle licenses as required by Code 1940, Title 51, Section 712, as amended, remit to the state treasurer, at the expense of the state, all money received by him for special registration fees collected under this act. The judge of probate or other officer collecting the special registration fees shall be entitled to one-half of one percent of the amount of money so collected for the issuance of special registration fees as his compensation. He may deduct from his remittances to the state treasury his commissions on that part of such fees which is due, but he shall not be allowed any commission on any money not remitted within the time prescribed by law for the remittance of money collected for motor vehicle licenses. If the judge of probate or other official charged with the duty of collecting the registration fees hereby levied fails to comply with this section within the time prescribed for remitting motor vehicle license moneys, such fact shall be reported by the comptroller to the governor; and such judge or other official shall be proceeded against in the same manner prescribed for his failure to report the list of motor vehicle licenses and to pay over the amounts collected as provided in said Code 1940, Title 51, Section 712, as amended. The commissioner of revenue may prescribe rules and regulations governing the manner of showing the collection of special permit fees on the reports of the several judges of probate or other officials issuing motor vehicle licenses.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws and parts of laws in conflict herewith are repealed; and those provisions of Code of Alabama 1940, Title 51, Section 711, which conflict herewith are specifically repealed.

Section 10. The substantive provisions of this Act shall become effective on October 1, 1967; however, for the purpose of performing any administrative or clerical duties preparatory to effectuating the provisions hereof, this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming law.

The motion of Mr. McCorquodale to postpone further consideration of the bill, H. 176, and pending substitute until the next legislative day was lost.

Yeas 43; Nays 57.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Lemley | Pruitt |
| Agee | Fine | Manley | Shumate |
| Berryman (R) | Foshee | Mays | Slate |
| Berryman (W) | Garrett | McCorquodale | Snell |
| Blanton | Graham | Meade | Steagall |
| Brannan | Hain | Melton | Stembridge |
| Brassell | Harper | Money | Stubbs |
| Burgreen | Headley | Neville | Tuck |
| Collier | Higginbotham | Owen (Baldwin) | Williams |
| Cook (Coffee) | Holladay | Owens (W) | Young |
| Dobbs | Jackson (F) | Pearson | |

Nays:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Dill | Jackson (T) | Perloff |
| Adwell | Downing | Jones | Sessions |
| Bank | Drake | Kilgore | Smith (C) |
| Beck | Edington | Laxson | Smith (P) |
| Bolton | Ellis | Lybrand | Snodgrass |
| Bowers | Gafford | Malone | Springer |
| Brown | Gloor | Marr | Starnes |
| Burgess | Grayson | McDonald | Thomas |
| Cameron | Harris | McElhaney | Waggoner |
| Cherner | Haygood | McLain | Watkins |
| Collins (C) | Hill | Meeks | Weeks |
| Collins (W) | Hobbie | Merrill | Wood |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Wright |
| Crane | Holman | Pennington | Yeilding |
| Culver | House | | |

—57

SUBSTITUTE FOR H. 176 RULED NOT GERMANE

On a point of order propounded by Mr. Pruitt, the Speaker ruled that the substitute offered by Mr. Lybrand to the bill, H. 176, was not germane.

MOTION TO TABLE LOST

The motion of Mr. McCorquodale to lay on the table the motion of Mr. Smith (C) that the House recess for one hour was lost.

Yeas 42; Nays 56.

Yeas:

| | | | |
|---------------|--------------|--------------|----------------|
| Mr. Speaker | Culver | Jackson (F) | Owen (Baldwin) |
| Agee | Dobbs | Laxson | Owens (W) |
| Bassett | Fine | Lemley | Pearson |
| Berryman (R) | Foshee | Mathews | Pruitt |
| Berryman (W) | Garrett | Mays | Shumate |
| Blanton | Graham | McCorquodale | Snell |
| Bolton | Hain | McLain | Steagall |
| Brannan | Harper | Melton | Stembridge |
| Brassell | Headley | Money | Stubbs |
| Collier | Higginbotham | Neville | Young |
| Cook (Coffee) | Holladay | | |

—42

Nays:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Doss | House | Slate |
| Adwell | Downing | Jackson (T) | Smith (C) |
| Bank | Drake | Jones | Smith (P) |
| Beck | Edington | Kilgore | Snodgrass |
| Bowers | Ellis | Malone | Springer |
| Brown | Gafford | Marr | Starnes |
| Burgess | Gloor | McDonald | Thomas |
| Burgreen | Grayson | McElhaney | Tuck |
| Cameron | Harris | Meade | Waggoner |
| Cherner | Haygood | Meeks | Watkins |
| Collins (C) | Hill | Merrill | Weeks |
| Collins (W) | Hobbie | Pennington | Wood |
| Cook (Jefferson) | Hogan | Perloff | Wright |
| Crane | Holman | Sessions | Yeilding |
| Dill | | | |

—56

RECESS

On motion of Mr. Smith (C) the House recessed for one hour.

Yeas 53; Nays 48.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Crane | House | Sessions |
| Adwell | Dill | Jackson (T) | Smith (C) |
| Bank | Downing | Jones | Smith (P) |
| Beck | Edington | Kilgore | Snodgrass |
| Blanton | Ellis | Lybrand | Springer |
| Bowers | Gafford | Malone | Starnes |
| Brown | Gloor | Marr | Thomas |
| Burgess | Grayson | McElhaney | Waggoner |
| Burgreen | Harris | McLain | Watkins |
| Cameron | Haygood | Meeks | Weeks |
| Cherner | Hill | Merrill | Wood |
| Collins (C) | Hobbie | Owens (W.E.) | Wright |
| Collins (W) | Hogan | Perloff | Yeilding |
| Cook (Jefferson) | Holman | | |

—53

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Laxson | Pearson |
| Agee | Drake | Lemley | Pennington |
| Bassett | Fine | Manley | Pruitt |
| Berryman (R) | Foshee | Mays | Shumate |
| Berryman (W) | Garrett | McCorquodale | Slate |
| Bolton | Graham | McDonald | Snell |
| Brannan | Hain | Meade | Steagall |
| Brassell | Harper | Melton | Stembridge |
| Collier | Headley | Money | Stubbs |
| Cook (Coffee) | Higginbotham | Neville | Tuck |
| Culver | Holladay | Owen (Baldwin) | Williams |
| Dobbs | Jackson (F) | Owens (W) | Young |

—48

The House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

Was again taken up.

Mr. McCorquodale offered the following amendment to the bill, H. 176:

In Section 1, second paragraph, strike out the following words and figures:

| (a) For each automobile having the following gross weight in pounds | Amount of License Tax |
|--|-----------------------|
| 0 to 1800 | \$ 8.00 |
| 1801 to 2500 | 12.00 |
| 2501 to 3000 | 15.00 |
| 3001 or more | 18.00 |

and insert in lieu thereof the following:

- (a) For each automobile, thirteen dollars (\$13.00);

MOTION TO TABLE LOST

The motion of Mr. Lybrand to lay on the table the amendment offered by Mr. McCorquodale, was lost.

Yeas 49; Nays 50.

Yeas:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Downing | Jackson (T) | Perloff |
| Adwell | Edington | Jones | Sessions |
| Bank | Ellis | Kilgore | Smith (C) |
| Bowers | Gafford | Laxson | Snodgrass |
| Brown | Gloor | Lybrand | Springer |
| Cameron | Grayson | Malone | Thomas |
| Cherner | Harris | Marr | Waggoner |
| Collins (C) | Haygood | McDonald | Watkins |
| Collins (W) | Hill | McElhaney | Weeks |
| Cook (Jefferson) | Hobbie | McLain | Wood |
| Crane | Hogan | Meeks | Wright |
| Culver | Holman | Pennington | Yeilding |
| Dill | House | | |

—49

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pearson |
| Agee | Doss | Lemley | Pruitt |
| Bassett | Drake | Manley | Shumate |
| Beck | Fine | Mathews | Slate |
| Berryman (R) | Foshee | Mays | Snell |
| Berryman (W) | Garrett | McCorquodale | Steagall |
| Blanton | Graham | Melton | Stembridge |
| Brannan | Hain | Merrill | Stubbs |
| Brassell | Hardin | Money | Tuck |
| Burgess | Harper | Neville | Turnham |
| Burgreen | Headley | Owen (Baldwin) | Williams |
| Collier | Higginbotham | Owens (W) | Young |
| Cook (Coffee) | Holladay | | |

—50

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:35 P. M. On April 5, 1967

H. J. R. 59.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Smith (C) the House adjourned until Thursday, April 6, 1967, at ten o'clock A. M.

Yeas 79; Nays 18.

Yeas:

| | | | |
|------------------|--------------|------------|------------|
| Mr. Speaker | Dill | Holman | Shumate |
| Adwell | Dobbs | House | Slate |
| Bank | Doss | Jones | Smith (C) |
| Bassett | Downing | Kilgore | Smith (P) |
| Beck | Drake | Lemley | Snell |
| Berryman (R) | Ellis | Lybrand | Springer |
| Blanton | Fine | Malone | Steagall |
| Bowers | Gafford | Manley | Stembridge |
| Brassell | Garrett | Marr | Stubbs |
| Brown | Gloor | Mathews | Thomas |
| Burgess | Graham | McDonald | Tuck |
| Burgreen | Hain | McLain | Turnham |
| Cameron | Hardin | Meeks | Waggoner |
| Cherner | Harper | Merrill | Watkins |
| Collier | Harris | Money | Weeks |
| Collins (W) | Haygood | Neville | Williams |
| Cook (Coffee) | Headley | Pennington | Wright |
| Cook (Jefferson) | Higginbotham | Perloff | Yeilding |
| Crane | Hill | Pruitt | Young |
| Culver | Holladay | Sessions | |

—79

Nays:

| | | | |
|-------------|-------------|--------------|----------------|
| Messrs.: | Foshee | Jackson (T) | Owen (Baldwin) |
| Agee | Grayson | Laxson | Owens (W) |
| Brannan | Hobbie | McCorquodale | Pearson |
| Collins (C) | Hogan | McElhanev | Wood |
| Edington | Jackson (F) | Melton | |

—18

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, April 6, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John Vickers, Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------|--------------|---------|----------|
| Mr. Speaker | Bassett | Blanton | Brassell |
| Adwell | Beck | Bolton | Brown |
| Agee | Berryman (R) | Bowers | Burgess |
| Bank | Berryman (W) | Brannan | Burgreen |

| | | | |
|------------------|--------------|----------------|------------|
| Cameron | Grayson | Marr | Shumate |
| Cherner | Hain | Mathews | Slate |
| Collier | Hardin | Mays | Smith (C) |
| Collins (C) | Harper | McCorquodale | Smith (P) |
| Collins (W) | Harris | McDonald | Snell |
| Cook (Coffee) | Haygood | McElhanev | Snodgrass |
| Cook (Jefferson) | Headley | McLain | Springer |
| Crane | Higginbotham | Meade | Starnes |
| Crawford | Hill | Meeks | Steagall |
| Culver | Hobbie | Melton | Stembridge |
| Dill | Hogan | Merrill | Stubbs |
| Dobbs | Holladay | Money | Thomas |
| Doss | Holman | Neville | Tuck |
| Downing | House | Owen (Baldwin) | Turnham |
| Drake | Jackson (F) | Owens (W) | Waggoner |
| Edington | Jackson (T) | Owens (W.E.) | Watkins |
| Ellis | Jones | Paulk | Weeks |
| Fine | Kilgore | Pearson | Williams |
| Foshee | Laxson | Pennington | Wood |
| Gafford | Lemley | Perloff | Wright |
| Garrett | Lybrand | Pruitt | Yeilding |
| Gloor | Malone | Sessions | Young |
| Graham | Manley | | |

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee.

H. R. 66. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House on this day:

H. B. 176, Page 2

H. B. 177, Page 2

H. B. 178, Page 3

S. B. 23, Page 4

And H. R. 66 was lost.

Yeas 38; Nays 47.

Yeas:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Foshee | Mays | Pruitt |
| Bassett | Graham | McCorquodale | Slate |
| Berryman (R) | Hardin | Meade | Snell |
| Brannan | Harper | Melton | Steagall |
| Burgreen | Headley | Merrill | Stembridge |
| Cameron | Holladay | Money | Stubbs |
| Collier | Jackson (F) | Owen (Baldwin) | Tuck |
| Cook (Coffee) | Kilgore | Owens (W) | Williams |
| Doss | Lemley | Pearson | Young |
| Fine | Mathews | | |

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Nays:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Culver | House | Perloff |
| Adwell | Dill | Jackson (T) | Sessions |
| Agee | Downing | Jones | Smith (C) |
| Bank | Edington | Laxson | Smith (P) |
| Beck | Ellis | Lybrand | Snodgrass |
| Bowers | Gloor | Malone | Springer |
| Brown | Grayson | Marr | Thomas |
| Cherner | Harris | McDonald | Turnham |
| Collins (C) | Hill | McElhaney | Waggoner |
| Collins (W) | Hobbie | McLain | Wood |
| Cook (Jefferson) | Hogan | Meeks | Wright |
| Crane | Holman | Pennington | Yeilding |

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 212. Relating to counties of 65,000 to 95,000 population providing further for the distribution of fines from convictions in certain cases of traffic violations.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lybrand:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to place certain duties on the director of the state highway department, the state commissioner of revenue, the state comptroller and the state treasurer; to prescribe penalties; and to repeal conflicting laws.

Ways and Means.

By Mr. Lybrand:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Ways and Means.

By Mr. Lybrand:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Ways and Means.

By Messrs. Meade and Beck:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Local Legislation No. 1.

By Messrs. Headley, House, Watkins, Owens (W) and Foshee:

H. 223. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

Judiciary.

By Messrs. Watkins, Gafford, Waggoner, Ellis, Bowers, Jackson (T), Adwell, House, Sessions, Crane, Cook (Jefferson), Cherner, Burgess and Owen (Baldwin):

H. 224. To regulate visiting speakers at state supported colleges and universities.

Judiciary.

By Messrs. Jackson (T), Watkins, Holman, Kilgore, Gloor, Waggoner, Adwell, House, Cook (Jefferson), Meeks, Bowers, Sessions, Crane, Yeilding, Cherner, Gafford, Money and Ellis:

H. 225 (with notice and proof). That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Local Legislation No. 2.

Notice and Proof H. 225:

LEGAL NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama, whether that session be special or regular session, application will be made to the Legislature for adoption of an Act which will contain the terms set forth in the following bill:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Be It Enacted by the Legislature of Alabama:

Section 1. That Jefferson County, Alabama be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blaylock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00 and Tom Williams \$850.00.

Section 2. This Act to become effective upon its being signed by the Governor or otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me

first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of February 25, March 4, 11, 18, 1967, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 20th day of March, 1967.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. House, Cook (Jefferson), Dill, Waggoner, Gloor, Money, Adwell, Yeilding, Bowers, Meeks, Jackson (T), Watkins, Kilgore, Holman, Crane, Cherner, Gafford and Ellis:

H. 226 (with notice and proof). To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 226:

NOTICE

Notice is hereby given of intention to apply at the 1st Special Session or the regular session of the Legislature of Alabama held during the year 1967 for introduction and passage of a Bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARIES OF THE TOWN OF BROWNVILLE, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS THEREOF CERTAIN ADDITIONAL TERRITORY IN THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ AND THE NE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 25, T18S, R4W, JEFFERSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Brownville, in Jefferson County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town certain additional territory lying within the following described boundaries, to-wit:

Begin at the SE corner of W $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., thence run West along the South line of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ a distance of 78.8 feet to the NE corner of Lot 7, Block 4, according to the Map of Wenonah Subdivision, Plat "D", as recorded in Map Book 8, Page 80, Judge of Probate Office, Bessemer Division, Jefferson County, Alabama, for the point of beginning, thence continue said course along said South line, being also the North line of said Lot 7, a distance of 137.5 feet to the NW corner of said Lot 7, turn right an angle of 56° 58' a distance of 1590.26 feet to a point on the North line of SW $\frac{1}{4}$ of

SE $\frac{1}{4}$ of said Section 25, being also a point on the NE right-of-way boundary of U. S. Steel Ore or Highline R. R., turn right an angle of 00° 57' along said NE right-of-way boundary a distance of 951.37 feet to a point on the NW right-of-way boundary of Second Avenue, according to the Map of Hillman, as recorded in Map Book 1, Page 57, Judge of Probate Office, Birmingham Division, Jefferson County, Alabama, being the present Brownville Corporate Limit boundary, turn right an angle of 72° 31' along said NW right-of-way boundary a distance of 129.86 feet to the intersection of a NWly projection of the NEly right-of-way boundary of Second Street, turn right an angle of 90° 00' a distance of 380.0 feet to the Southmost corner of Lot 16, Block 21, according to said Map of Hillman, turn right an angle of 90° 00' a distance of 80.0 feet to the Eastmost corner of Lot 9, Block 22, according to said Map of Hillman, turn left an angle of 90° 00' a distance of 160.0 feet, turn right an angle of 90° 00' along the SE boundary of Block "J", being also the NW right-of-way boundary of L & N Railroad, a distance of 62.70 feet, turn left an angle of 72° 31' a distance of 526.48 feet to a point on the North line of aforesaid SW $\frac{1}{4}$ of SE $\frac{1}{4}$, turn right an angle of 00° 15' a distance of 1568.97 feet to point of beginning; being in W $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., and including Block 22, Block "J", and a portion of First and Second Avenues, and a portion of Second Street, according to said Map of Hillman, Jefferson County, Alabama.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were March 10-17-24-31 1967 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 31 day of March, 1967.

W. E. MILLER,
Notary Public.

By Messrs. Cherner, House, Cook (Jefferson), Ellis, Adwell, Waggoner, Sessions, Bowers, Gafford, Gloor, Jackson (T), Money, Yeilding, Crane, Dill, Weeks and Meeks:

H. 227. To make an appropriation from the state treasury to provide matching funds for expansion of Opportunity Center School in Jefferson County.

Ways and Means.

By Messrs. Dobbs and Shumate:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Marr, Smith (C), Downing, Perloff, Grayson, Hogan, Edington, Collins (W), Wood, Merrill, Pennington, Collins (C), Pruitt, Holladay, Owen, Brannan, McCorquodale and Agee:

H. J. R. 67. WHEREAS, Dr. Frederick P. Whiddon, President of the University of South Alabama, Mobile, Alabama, appeared before the Committee as the Whole of the Legislature to testify at the public hearing; and

WHEREAS, Dr. Whiddon was well informed on the subject before the Committee; and

WHEREAS, Dr. Whiddon is an outstanding higher education leader and reflects credit on the University of South Alabama as well as the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body appreciates Dr. Whiddon's assistance and testimony to the Joint House and Senate Committee as the Whole.

BE IT FURTHER RESOLVED That this body appreciates Dr. Whiddon's outstanding leadership and accomplishments as President of the University of South Alabama since its creation in 1963.

On motion of Mr. Marr the rules were suspended and H. J. R. 67 was adopted.

Also:

By Messrs. Owen, Agee, Beck, Berryman (R), Berryman (W), Bowers, Brannan, Burgess, Collier, Collins (W), Dobbs, Doss, Downing, Fine, Foshee, Garrett, Grayson, Hardin, Harper, Haygood, Headley, Hogan, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, McCorquodale, McElhaney, Meade, Melton, Owens (W), Pearson, Shumate, Snell, Stenbridge, Stubbs, Tuck and Young:

H. J. R. 68. To create a joint legislative committee to investigate charges of subversive activities at certain state educational institutions; to provide for the appointment, membership, duties, and powers of the committee.

WHEREAS during recent years there have been recurrent charges and refutations of the existence of subversive activities on the campuses of our state colleges and universities, more recent events indicate the need to determine whether such subversion actually exists, and, if so, the seriousness of its nature and the steps that should be taken to control or eradicate it. If such charges are without foundation, the fears and unrest of our people resulting from such charges should be dispelled. To that end, it is deemed necessary and appropriate that an investigating committee should be appointed to determine the facts and make recommendations on its findings to this body, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, there is hereby created a joint legislative investigating committee which shall be composed of three members of the house of representatives and two members of the senate. The house members shall be the chairman of the house education committee, who shall also be the chairman of the committee created herein, and two other members appointed by the speaker of the house of representatives. The senate members shall be the chairman of the senate education committee and one other member appointed by the president of the senate. Committee members shall receive no compensation for their services.

RESOLVED FURTHER, That it shall be the duty of the committee to investigate all reports and charges of subversive activities on or about any college, university or state supported institution of learning, which activities shall include the publication or circulation of subversive magazines, newspapers or other printed materials; or the committee may initiate such investigations whenever it has good reason for belief that such subversion exists. To aid the committee in its investigations, the chairman thereof shall be empowered to administer oaths and to issue subpoenas for the production of persons and books, records, publications or other documents for the gathering of information pertinent to the committee's inquiry. If a person duly summoned to appear and testify or produce evidence or both before the committee, refuses to attend or testify or produce evidence in obedience to such summons, the committee shall have the right to invoke the aid of any court of record in the State of Alabama for enforcement of any such order. The committee shall also have the same authority as the circuit court judge to punish persons guilty of contempt of the committee either within or without its presence and to fix the punishment therefor. Witnesses summoned before the committee shall be entitled to the same fees and mileage allowances which are allowed to witnesses in civil cases in circuit courts.

RESOLVED ALSO, That the committee created herein shall make such reports of its investigations, findings and recommendations to the legislature at any time during the 1967 Regular Session of the legislature as it may deem to be necessary or desirable, and at least ten days before final adjournment of the 1969 Regular Session of the legislature, the committee shall make a final report of its investigations, findings and recommendations, whereupon the committee shall be dissolved.

RESOLVED FURTHER, That this resolution shall become effective upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution of Alabama.

H. J. R. 68 was read and referred to the Standing Committee on Rules.

Yeas 43; Nays 43.

Yeas:

| | | | |
|--------------|---------|--------------|----------------|
| Mr. Speaker | Dobbs | Hogan | Owen (Baldwin) |
| Agee | Doss | Holman | Owens (W) |
| Beck | Downing | Jackson (F) | Slate |
| Berryman (R) | Fine | Jackson (T) | Smith (C) |
| Berryman (W) | Foshee | Lemley | Snell |
| Brannan | Garrett | Marr | Stembridge |
| Brassell | Grayson | Mays | Stubbs |
| Burgreen | Harper | McCorquodale | Turnham |
| Cameron | Harris | McElhanev | Watkins |
| Collier | Headley | Meade | Young |
| Collins (W) | Hobbie | Money | |

Nays:

| | | | |
|-------------|----------|----------|-----------|
| Messrs.: | Dill | Kilgore | Smith (P) |
| Adwell | Edington | Laxson | Snodgrass |
| Bank | Ellis | Malone | Springer |
| Bassett | Gloor | Manley | Starnes |
| Blanton | Graham | McDonald | Thomas |
| Bowers | Hain | McLain | Waggoner |
| Brown | Hardin | Meeks | Weeks |
| Cherner | Hill | Melton | Williams |
| Collins (C) | Holladay | Pearson | Wood |
| Crane | House | Perloff | Wright |
| Culver | Jones | Sessions | Yeilding |

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Also:

By Messrs. Bank, Thomas, Culver, Malone, Jackson (T), Cook (Jefferson) and Snell:

H. J. R. 69. WHEREAS the Alabama National Guard which is fifth in the nation in strength and first in strength based on per capita population, is doing a tremendous job in training, educating and preparing fighting units while preserving our domestic peace and safety; and

WHEREAS in the proposed reorganization of the National Guard, the 31st Division will be eliminated thereby destroying the unity and pride in service upheld by the members of each unit composed of Alabama's finest young men; and

WHEREAS Governor Lurleen B. Wallace, in her stirring address at the closing session of the National Guard Association Conference held in Tuscaloosa last Sunday, promised to preserve the integrity of the units making up the National Guard of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wholeheartedly oppose the planned reorganization of the National Guard and recommend that the unity and integrity of the 31st Division making up the National Guard of Alabama be continued and preserved.

RESOLVED FURTHER That a copy of this resolution be sent to Major General Alfred C. Harrison, National Guard Adjutant General.

On motion of Mr. Bank the rules were suspended and H. J. R. 69 was adopted.

Yeas 58; Nays 0.

Yeas:

| | | | |
|--------------|----------|-------------|--------------|
| Mr. Speaker | Dill | Hogan | Owens (W) |
| Adwell | Dobbs | Holman | Owens (W.E.) |
| Agee | Doss | Jackson (F) | Pearson |
| Bank | Edington | Jackson (T) | Perloff |
| Bassett | Ellis | Jones | Sessions |
| Berryman (W) | Fine | Laxson | Snell |
| Blanton | Foshee | Lemley | Stembridge |
| Brannan | Gloor | Marr | Stubbs |
| Brassell | Graham | Mays | Thomas |
| Brown | Grayson | McElhanev | Tuck |
| Burgreen | Hain | Meade | Waggoner |
| Collier | Hardin | Meeks | Watkins |
| Collins (W) | Harris | Melton | Williams |
| Crane | Hill | Money | Young |
| Culver | Hobbie | | |

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BILLS ON THIRD READING

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Dill | Holladay | Pennington |
| Adwell | Dobbs | Holman | Perloff |
| Agee | Doss | Jackson (F) | Pruitt |
| Bank | Downing | Jackson (T) | Sessions |
| Bassett | Drake | Laxson | Slate |
| Berryman (R) | Edington | Lemley | Smith (C) |
| Berryman (W) | Ellis | Marr | Snell |
| Blanton | Fine | Mays | Steagall |
| Brannan | Foshee | McElhaney | Stembridge |
| Brassell | Garrett | Meade | Stubbs |
| Brown | Graham | Meeks | Thomas |
| Burgreen | Grayson | Melton | Tuck |
| Cameron | Hain | Merrill | Turnham |
| Collier | Hardin | Money | Waggoner |
| Collins (C) | Harris | Owen (Baldwin) | Williams |
| Collins (W) | Haygood | Owens (W) | Wood |
| Cook (Jefferson) | Hill | Owens (W.E.) | Yeilding |
| Crane | Hobbie | Pearson | Young |
| Culver | Hogan | | |

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And the bill:

H. 207 (with amendment). Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Local Legislation No. 1, said committee amendments being as follows:

Local Legislation Committee Amendment No. 1 to H. 207

Add at the end of Section 1 of the bill the following proviso: Provided, that after the expiration of the term of the incumbent circuit court clerk, the circuit clerk shall not be entitled to the expense allowance herein provided.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|------------------|
| Mr. Speaker | Bassett | Brassell | Cherner |
| Adwell | Berryman (W) | Brown | Collier |
| Agee | Blanton | Burgreen | Collins (W) |
| Bank | Brannan | Cameron | Cook (Jefferson) |

| | | | |
|----------|-------------|----------------|------------|
| Crane | Haygood | Mays | Smith (P) |
| Culver | Hill | McElhaney | Snell |
| Dill | Hobbie | Meade | Springer |
| Dobbs | Hogan | Meeks | Steagall |
| Doss | Holladay | Melton | Stembridge |
| Downing | Holman | Merrill | Stubbs |
| Drake | Jackson (F) | Money | Thomas |
| Edington | Jackson (T) | Owen (Baldwin) | Tuck |
| Fine | Jones | Owens (W) | Turnham |
| Foshee | Laxson | Owens (W.E.) | Waggoner |
| Graham | Lemley | Pearson | Williams |
| Grayson | Lybrand | Perloff | Wood |
| Hain | Malone | Pruitt | Wright |
| Hardin | Manley | Sessions | Yeilding |
| Harris | Marr | Slate | Young |

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And

Local Legislation Committee Amendment No. 2 to H. 207

In the caption, insert before the words "tax assessor" the words and figures "probate judge, judge of the county court,"

Also, insert after Section 1 a new section to read as follows:

Section 1A. In all such counties the probate judge and the judge of the county court shall each be entitled to an allowance for expenses in the amount of \$4,200 per annum, which shall be payable from the general funds of the county in equal monthly installments. The allowances so provided shall be in lieu of any other expense allowance heretofore provided either of such officers.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | House | Pearson |
| Adwell | Doss | Jackson (F) | Pennington |
| Agee | Downing | Jackson (T) | Perloff |
| Bank | Drake | Jones | Pruitt |
| Berryman (R) | Edington | Laxson | Sessions |
| Berryman (W) | Fine | Lemley | Slate |
| Blanton | Foshee | Lybrand | Smith (P) |
| Bowers | Graham | Manley | Snell |
| Brannan | Grayson | Marr | Steagall |
| Brassell | Hain | Mays | Stembridge |
| Brown | Hardin | McElhaney | Stubbs |
| Burgess | Harris | Meade | Tuck |
| Burgreen | Haygood | Meeks | Turnham |
| Cameron | Higginbotham | Melton | Waggoner |
| Collier | Hill | Merrill | Williams |
| Collins (W) | Hobbie | Money | Wood |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Wright |
| Crane | Holladay | Owens (W) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |
| Dill | | | |

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And said bill, H. 207, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Holman | Pearson |
| Adwell | Doss | Jackson (F) | Pennington |
| Agee | Downing | Jackson (T) | Perloff |
| Bank | Drake | Jones | Pruitt |
| Bassett | Edington | Laxson | Sessions |
| Berryman (R) | Ellis | Lemley | Slate |
| Berryman (W) | Fine | Lybrand | Smith (P) |
| Blanton | Foshee | Malone | Snell |
| Bowers | Garrett | Manley | Springer |
| Brannan | Graham | Marr | Steagall |
| Brassell | Grayson | Mays | Stembridge |
| Brown | Hain | McElhaney | Stubbs |
| Burgess | Hardin | Meade | Tuck |
| Burgreen | Harris | Meeks | Turnham |
| Cameron | Haygood | Melton | Waggoner |
| Collier | Higginbotham | Merrill | Williams |
| Collins (W) | Hill | Money | Wood |
| Cook (Jefferson) | Hobbie | Owen (Baldwin) | Wright |
| Crane | Hogan | Owens (W) | Yeilding |
| Culver | Holladay | Owens (W.E.) | Young |
| Dill | | | |

—81

And the bill:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Holman | Pearson |
| Adwell | Downing | Jackson (F) | Pennington |
| Agee | Drake | Jackson (T) | Perloff |
| Bassett | Edington | Jones | Sessions |
| Berryman (R) | Ellis | Laxson | Slate |
| Berryman (W) | Fine | Lemley | Smith (P) |
| Blanton | Foshee | Malone | Snell |
| Bowers | Gloor | Manley | Steagall |
| Brannan | Graham | Marr | Stembridge |
| Brassell | Grayson | Mays | Stubbs |
| Burgreen | Hain | McElhaney | Tuck |
| Cameron | Hardin | Meade | Turnham |
| Collier | Harris | Meeks | Waggoner |
| Collins (W) | Haygood | Melton | Williams |
| Cook (Jefferson) | Higginbotham | Merrill | Wood |
| Crane | Hill | Money | Wright |
| Culver | Hobbie | Owen (Baldwin) | Yeilding |
| Dill | Hogan | Owens (W) | Young |
| Dobbs | Holladay | Owens (W.E.) | |

—75

And the bill:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

| | | | |
|------------------|----------|-------------|--------------|
| Mr. Speaker | Dobbs | Holladay | Owens (W.E.) |
| Adwell | Doss | Holman | Pearson |
| Agee | Downing | House | Pennington |
| Bank | Drake | Jackson (F) | Perloff |
| Bassett | Edington | Jackson (T) | Sessions |
| Beck | Ellis | Jones | Slate |
| Berryman (R) | Fine | Laxson | Smith (P) |
| Berryman (W) | Foshee | Lemley | Snell |
| Blanton | Gloor | Malone | Steagall |
| Bowers | Graham | Manley | Stembridge |
| Brannan | Grayson | Marr | Stubbs |
| Brassell | Hain | Mays | Tuck |
| Burgreen | Hardin | McDonald | Turnham |
| Cameron | Harper | Meade | Waggoner |
| Collier | Harris | Meeks | Williams |
| Collins (W) | Haygood | Melton | Wood |
| Cook (Jefferson) | Hill | Merrill | Wright |
| Crane | Hobbie | Money | Yeilding |
| Culver | Hogan | Owens (W) | Young |
| Dill | | | |

—77

And the bill:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Dobbs | House | Pennington |
| Adwell | Doss | Jackson (F) | Perloff |
| Agee | Downing | Jackson (T) | Sessions |
| Bank | Drake | Jones | Slate |
| Bassett | Edington | Laxson | Smith (P) |
| Beck | Ellis | Lemley | Snell |
| Berryman (R) | Fine | Malone | Snodgrass |
| Berryman (W) | Foshee | Manley | Starnes |
| Blanton | Gloor | Marr | Steagall |
| Bowers | Graham | Mays | Stembridge |
| Brannan | Grayson | McDonald | Stubbs |
| Brassell | Hain | McElhane | Tuck |
| Burgreen | Hardin | Meade | Turnham |
| Cameron | Harper | Meeks | Waggoner |
| Collier | Harris | Melton | Watkins |
| Collins (W) | Haygood | Merrill | Williams |
| Cook (Jefferson) | Hill | Money | Wood |
| Crane | Hobbie | Owens (W) | Wright |
| Culver | Hogan | Owens (W.E.) | Yeilding |
| Dill | Holman | Pearson | Young |

—80

And the bill:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Dobbs | Holman | Pearson |
| Adwell | Doss | House | Pennington |
| Agee | Downing | Jackson (F) | Perloff |
| Bank | Drake | Jackson (T) | Slate |
| Bassett | Edington | Laxson | Smith (P) |
| Beck | Ellis | Lemley | Snell |
| Berryman (R) | Fine | Malone | Snodgrass |
| Berryman (W) | Foshee | Manley | Starnes |
| Blanton | Gafford | Marr | Steagall |
| Bowers | Gloor | Mays | Stembridge |
| Brannan | Graham | McDonald | Stubbs |
| Brassell | Grayson | McElhaney | Tuck |
| Burgreen | Hain | McLain | Turnham |
| Cameron | Hardin | Meade | Waggoner |
| Collier | Harper | Meeks | Watkins |
| Collins (C) | Harris | Melton | Williams |
| Collins (W) | Haygood | Merrill | Wood |
| Cook (Jefferson) | Hill | Money | Wright |
| Crane | Hobbie | Owens (W) | Yeilding |
| Culver | Hogan | Owens (W.E.) | Young |

—80

And the bill:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Dill | Hogan | Pearson |
| Adwell | Dobbs | Holman | Pennington |
| Agee | Doss | House | Perloff |
| Bank | Downing | Jackson (F) | Sessions |
| Bassett | Drake | Jackson (T) | Slate |
| Beck | Edington | Laxson | Smith (P) |
| Berryman (R) | Ellis | Lemley | Snell |
| Berryman (W) | Fine | Malone | Snodgrass |
| Blanton | Foshee | Manley | Starnes |
| Bowers | Gafford | Marr | Steagall |
| Brannan | Gloor | Mays | Stembridge |
| Brassell | Graham | McDonald | Stubbs |
| Burgreen | Grayson | McElhaney | Tuck |
| Cameron | Hain | McLain | Turnham |
| Cherner | Hardin | Meade | Waggoner |
| Collier | Harper | Meeks | Watkins |
| Collins (C) | Harris | Melton | Williams |
| Collins (W) | Haygood | Merrill | Wood |
| Cook (Jefferson) | Headley | Money | Wright |
| Crane | Hill | Owens (W) | Yeilding |
| Culver | Hobbie | Owens (W.E.) | Young |

—84

UNANIMOUS CONSENT GRANTED

Mr. Springer requested unanimous consent to take up for immediate consideration the third reading of the bill, H. 211, and it was so granted.

PASSAGE OF H. 211

And the bill:

H. 211. To amend Section 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Mr. Speaker | Dobbs | Holman | Pennington |
| Adwell | Doss | House | Perloff |
| Agee | Downing | Jackson (F) | Sessions |
| Bank | Drake | Jackson (T) | Shumate |
| Bassett | Edington | Jones | Slate |
| Beck | Ellis | Kilgore | Smith (P) |
| Berryman (R) | Fine | Laxson | Snell |
| Berryman (W) | Foshee | Lemley | Snodgrass |
| Blanton | Gafford | Malone | Springer |
| Bowers | Gloor | Manley | Starnes |
| Brannan | Graham | Mays | Steagall |
| Brassell | Grayson | McDonald | Stembridge |
| Brown | Hain | McElhaney | Stubbs |
| Burgreen | Hardin | McLain | Tuck |
| Cameron | Harper | Meade | Waggoner |
| Cherner | Harris | Meeks | Watkins |
| Collier | Haygood | Melton | Williams |
| Collins (W) | Headley | Merrill | Wood |
| Cook (Jefferson) | Hill | Money | Wright |
| Crane | Hobbie | Owens (W) | Yeilding |
| Culver | Hogan | Owens (W.E.) | Young |
| Dill | Holladay | Pearson | |

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lolley, Cooper and Engel:

S. J. R. 40. WHEREAS, the legislature of the State of Alabama authorized the establishment of the University of South Alabama in Mobile, Alabama by Act No. 157 signed May 3, 1963 and

WHEREAS, the legislature in establishing the University intended that it not only perform all functions, provide courses of study, libraries and laboratories, and grant degrees in traditional fields of study, but that

it also intended that the University should serve the State and region by providing facilities and staff to perform research in fields that, by virtue of its location, it is uniquely qualified to perform, and

WHEREAS, the University of South Alabama has since its inception, planned for a major program in the Marine Sciences and has implemented this plan within the limitations of its budget and facilities, and

WHEREAS, THE University largely has based its application for the \$20,000,000 Brookley Air Force Base facility on a strong Marine Sciences program, including the various sciences concerned with Oceanography, and

WHEREAS, the 89th Congress of the United States enacted P. L. 89-688, Title II Sea Grant Colleges and Programs, which provides for major financial assistance for research concerned with the development of Marine resources and which ultimately will result in designation of appropriate institutions as "Sea Grant Colleges", now

BE IT RESOLVED, that the legislature of the State of Alabama by virtue of the University of South Alabama's (1) contiguity and ready access to Alabama's Marine resources, (2) endorsement by concerned planning bodies and Federal Agencies to receive at no cost to the State of Alabama extensive facilities at Brookley Air Force Base for marine research, (3) already substantial investment of State and Federal funds in faculty and laboratory facilities and equipment for marine research and (4) strong desire to secure the Sea Grant College designation, hereby endorses the University of South Alabama's effort to develop a major program of teaching and research in the Marine Sciences.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Marr the rules were suspended and the House concurred in and adopted the S. J. R. 40 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 176. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to amend Sections 693, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended; and to repeal statutes in conflict with this act.

This bill will produce \$16,863,909.46 new revenue to the State Highway Department.

And the following pending amendment:

In Section 1, second paragraph, strike out the following words and figures:

| (a) <u>For each automobile having the following gross weight in pounds</u> | <u>Amount of License Tax</u> |
|--|------------------------------|
| 0 to 1800 | \$ 8.00 |
| 1801 to 2500 | 12.00 |
| 2501 to 3000 | 15.00 |
| 3001 or more | 18.00 |

and insert in lieu thereof the following:

(a) For each automobile, thirteen dollars (\$13.00);

Was again taken up.

ADJOURNMENT

On motion of Mr. Lybrand the House adjourned until Friday, April 7, 1967, at ten o'clock A. M.

Yeas 52; Nays 43.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Dill | House | Sessions |
| Adwell | Downing | Jackson (T) | Smith (C) |
| Bank | Edington | Jones | Smith (P) |
| Beck | Ellis | Kilgore | Snodgrass |
| Bowers | Gafford | Lybrand | Starnes |
| Brassell | Gloor | Malone | Thomas |
| Brown | Grayson | Marr | Turnham |
| Cameron | Harris | McElhaney | Waggoner |
| Cherner | Haygood | McLain | Watkins |
| Collins (C) | Hill | Meeks | Weeks |
| Collins (W) | Hobbie | Melton | Wood |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Wright |
| Crane | Holman | Perloff | Yeilding |
| Culver | | | |

—52

Nays:

| | | | |
|---------------|-------------|----------------|------------|
| Mr. Speaker | Doss | Lemley | Pruitt |
| Agee | Drake | Manley | Shumate |
| Bassett | Fine | Mathews | Slate |
| Berryman (R) | Foshee | Mays | Snell |
| Berryman (W) | Garrett | McCorquodale | Steagall |
| Blanton | Graham | Meade | Stembridge |
| Brannan | Hain | Merrill | Stubbs |
| Burgreen | Hardin | Owen (Baldwin) | Tuck |
| Collier | Harper | Owens (W) | Williams |
| Cook (Coffee) | Headley | Pearson | Young |
| Dobbs | Jackson (F) | Pennington | |

—43

TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Friday, April 7, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John D. Trobaugh, Associate Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jones | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Sessions |
| Bassett | Edington | Lemley | Shumate |
| Beck | Ellis | Lybrand | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snell |
| Bowers | Garrett | Mathews | Snodgrass |
| Brannan | Gloor | Mays | Springer |
| Brassell | Graham | McCorquodale | Starnes |
| Brown | Grayson | McDonald | Steagall |
| Burgess | Hain | McElhaney | Stembridge |
| Burgreen | Hardin | McLain | Stubbs |
| Cameron | Harper | Meade | Thomas |
| Cherner | Harris | Meeks | Tuck |
| Collier | Headley | Melton | Turnham |
| Collins (C) | Higginbotham | Merrill | Waggoner |
| Collins (W) | Hill | Money | Watkins |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Weeks |
| Cook (Jefferson) | Hogan | Owens (W) | Williams |
| Crane | Holladay | Owens (W.E.) | Wood |
| Crawford | Holman | Paulk | Wright |
| Culver | House | Pearson | Yielding |
| Dill | Jackson (F) | Pennington | Young |
| Dobbs | | | |

—101

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Gloor leave of absence was granted to Mr. Jackson (T) because of a death in the family.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the nineteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the nineteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 226. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 42. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, April 5, they adjourn to meet again on Thursday, April 6, and that when they adjourn on Thursday, April 6, they adjourn to meet again on Tuesday, April 11, 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 42 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

Yeas 31; Nays 27.

Yeas:

| | | | |
|--------------|--------------|--------------|----------|
| Mr. Speaker | Collier | Jackson (F) | Pruitt |
| Agee | Dill | Lemley | Slate |
| Bassett | Doss | Manley | Steagall |
| Berryman (R) | Edington | McCorquodale | Stubbs |
| Berryman (W) | Fine | Meade | Tuck |
| Brassell | Foshee | Merrill | Williams |
| Burgess | Graham | Money | Young |
| Burgreen | Higginbotham | Pearson | —31 |

Nays:

| | | | |
|------------------|--------|-----------|-----------|
| Messrs.: | Gloor | Lybrand | Perloff |
| Adwell | Harris | Malone | Sessions |
| Bowers | Hill | Marr | Snodgrass |
| Cherner | Holman | McDonald | Springer |
| Cook (Jefferson) | House | McElhaney | Starnes |
| Crane | Jones | McLain | Waggoner |
| Downing | Laxson | Meeks | Yeilding |
| | | | —27 |

MOTION TO RECESS LOST

The motion of Mr. Meeks that the House recess for five minutes was lost.

RECESS

On motion of Mr. Mathews the House recessed until eleven o'clock this morning.

Yeas 78; Nays 15.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Kilgore | Perloff |
| Adwell | Doss | Laxson | Pruitt |
| Bank | Downing | Lybrand | Sessions |
| Beck | Drake | Malone | Slate |
| Berryman (R) | Edington | Manley | Smith (C) |
| Berryman (W) | Ellis | Marr | Snodgrass |
| Bowers | Fine | Mathews | Springer |
| Brannan | Gafford | Mays | Starnes |
| Brassell | Gloor | McDonald | Stembridge |
| Brown | Grayson | McElhanev | Stubbs |
| Burgess | Hain | McLain | Thomas |
| Burgreen | Harper | Meade | Tuck |
| Cameron | Harris | Meeks | Turnham |
| Cherner | Haygood | Merrill | Waggoner |
| Collier | Hobbie | Money | Watkins |
| Collins (C) | Hogan | Owen (Baldwin) | Weeks |
| Collins (W) | Holman | Paulk | Williams |
| Cook (Jefferson) | House | Pearson | Wood |
| Crane | Jackson (F) | Pennington | Yeilding |
| Dill | Jones | | |

—78

Nays:

| | | | |
|----------|---------|--------------|--------------|
| Messrs.: | Culver | Headley | McCorquodale |
| Agee | Foshee | Higginbotham | Shumate |
| Bassett | Garrett | Holladay | Snell |
| Blanton | Graham | Lemley | Steagall |

—15

The hour of eleven o'clock A. M. having arrived, the House reconvened. The Speaker called the House to order.

UNANIMOUS CONSENT GRANTED

Mr. Burgess requested unanimous consent to have the Journal show that had he been present on the nineteenth legislative day he would have voted "yea" on the motion of Mr. Owen to suspend the rules and adopt the resolution, H. J. R. 68, and it was so granted.

MOTIONS TO SUSPEND RULES ADOPTED

The motion of Mr. Mathews to suspend the rules in order to allow the Standing Committee on Ways and Means to report out of order was adopted.

The motion of Mr. Merrill to suspend the rules in order to allow the Standing Committee on Judiciary to report out of order was adopted.

BILLS ON SECOND READING RESUMED

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute and with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 219 (with substitute) (with amendment). To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to place certain duties on the director of the state highway department, the state commissioner of revenue, the state comptroller and the state treasurer; to prescribe penalties; and to repeal conflicting laws.

This bill levies additional license fees on motor vehicles. It provides for $\frac{1}{2}$ of 1% to the Probate Judges and a 5% deduction for state tax commission expense. A total new revenue under this measure is \$15,288,414.66 divided as follows:

| | |
|----------|-----------------|
| State | \$13,453,804.88 |
| Counties | 1,834,609.78 |

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 220 (with substitute). To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

This bill provides for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by the Code of Alabama 1940, Title 51, Chapter 25, Article 5 and repeals all laws in conflict herewith. It provides for a 45% distribution to the State and a 55% distribution to the counties and cities. It does not increase present revenue.

H. 221 (with substitute). To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

This bill provides for the financing and construction of public roads and bridges in the State of Alabama. It authorizes the Alabama Highway Authority to sell and issue from time to time bonds in the principal sum of \$160,000,000.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

This bill appropriates \$12,000.00 from the Milk Control Board Fund for the fiscal year 1966-67.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 63 (with substitute). Relating to prisoners; providing for forfeiture of goodtime allowances and extension of sentences of certain recalcitrant county convicts.

S. J. R. 42 RECONSIDERED

The motion of Mr. Edington to reconsider the vote by which the resolution, S. J. R. 42, was lost, was adopted.

And the resolution:

By Mr. Cooper:

S. J. R. 42. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, April 5, they adjourn to meet again on Thursday, April 6, and that when they adjourn on Thursday, April 6, they adjourn to meet again on Tuesday, April 11, 1967.

Was again taken up.

Mr. Marr offered the following substitute for the resolution, S. J. R. 42:

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, April 5, they adjourn to meet again on Thursday, April 6, and that when the House adjourns on Friday, April 7, 1967, they adjourn to meet again on the 11th day of April, 1967, and when the Senate adjourns on Thursday, April 6, 1967, they adjourn to meet again on Tuesday, April 11, 1967.

And the substitute was adopted.

And the resolution, S. J. R. 42, as amended, was concurred in and adopted.

RESOLUTION

By Messrs. Turnham, Ellis, Higginbotham and Brassell:

H. J. R. 70. WHEREAS Auburn University has this week set a world record by donating 4,821 pints of blood within a two day period for the use of American soldiers in Vietnam; and

WHEREAS Auburn University students have given a total of 8,328 pints of blood to the servicemen of our country in the past two years; and

WHEREAS the Auburn University Tiger football team, R. O. T. C. units, sororities, fraternities and student government organizations donated in force; and

WHEREAS the Auburn University spirit so touched the hearts of two of the nation's Medal of Honor winners, namely Lt. Col. John J. Tominac and 1st. Lt. Walter J. Marm of Ft. Benning, that they visited the campus and also donated blood to our servicemen; and

WHEREAS in as much as this exemplifies the highest degree of patriotism among our college students and engenders the utmost in pride of the parents, faculty and citizens of our great state; and

WHEREAS this entire program of blood donation to our servicemen was conceived, organized and executed by the students themselves with the help and aid of the American Red Cross, which involved many hours of work alone; and

WHEREAS this call of civic duty goes far beyond the normal expected behavior pattern, and exhibits a recognition of the duty of all citizens by the students of Auburn University to our nation's fighting men; now therefore

BE IT RESOLVED, THAT THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, sincerely wishes to commend our young people, the students of Auburn University, for their concern for humanity, our fighting men and our nation.

BE IT FURTHER RESOLVED, That we are deeply proud of them in their tremendous effort to make all our citizens aware that our men in Vietnam need our moral support, our prayers, our money and our blood.

On motion of Mr. Turnham the rules were suspended and H. J. R. 70 was adopted.

ADJOURNMENT

On motion of Mr. Smith (C) the House adjourned until Tuesday, April 11, 1967, at eleven o'clock A. M.

TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, April 11, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Rex Turner, President, Alabama Christian College, and Minister, Church of Christ, Montgomery, Alabama.

ROLL CALL

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (T) | Pennington |
| Adwell | Doss | Jones | Perloff |
| Agee | Downing | Kilgore | Pruitt |
| Bank | Drake | Laxson | Sessions |
| Bassett | Edington | Lemley | Shumate |
| Beck | Ellis | Lybrand | Slate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snell |
| Bolton | Garrett | Mathews | Snodgrass |
| Bowers | Gloor | Mays | Springer |
| Brannan | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgess | Hardin | McLain | Stubbs |
| Burgreen | Harper | Meade | Thomas |
| Cameron | Harris | Meeks | Tuck |
| Cherner | Haygood | Melton | Turnham |
| Collier | Headley | Merrill | Waggoner |
| Collins (C) | Higginbotham | Money | Watkins |
| Collins (W) | Hill | Neville | Weeks |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Owens (W) | Wood |
| Crane | Holladay | Owens (W.E.) | Wright |
| Crawford | Holman | Paulk | Yeilding |
| Culver | House | Pearson | Young |
| Dill | Jackson (F) | | |

—106

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution, and ordered same returned to the House with a favorable report.

By Rules Committee.

H. R. 71. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House on this day:

H. B. 220, Page 10

H. B. 219, Page 9

H. B. 221, Page 11

S. B. 23, Page 4

And H. R. 71 was adopted.

Yeas 63; Nays 30.

Yeas:

| | | | |
|-------------|-------------|------------------|----------|
| Mr. Speaker | Brassell | Collins (W) | Downing |
| Adwell | Brown | Cook (Jefferson) | Drake |
| Bank | Burgess | Crane | Edington |
| Beck | Cameron | Culver | Ellis |
| Bowers | Cherner | Dill | Gafford |
| Brannan | Collins (C) | Doss | Gloor |

| | | | |
|--------------|-----------|--------------|----------|
| Graham | Jones | Merrill | Starnes |
| Harris | Kilgore | Owens (W.E.) | Stubbs |
| Haygood | Laxson | Pennington | Thomas |
| Higginbotham | Lybrand | Perloff | Waggoner |
| Hill | Malone | Sessions | Watkins |
| Hobbie | Marr | Slate | Weeks |
| Holman | McDonald | Smith (C) | Wood |
| House | McElhaney | Smith (P) | Wright |
| Jackson (F) | McLain | Snodgrass | Yeilding |
| Jackson (T) | Meeks | Springer | |

—63

Nays:

| | | | |
|--------------|---------|--------------|------------|
| Messrs.: | Foshee | Mays | Shumate |
| Agee | Garrett | McCorquodale | Snell |
| Bassett | Hain | Meade | Steagall |
| Berryman (R) | Hardin | Melton | Stembridge |
| Berryman (W) | Harper | Neville | Tuck |
| Bolton | Headley | Owens (W) | Turnham |
| Crawford | Manley | Pearson | Young |
| Fine | Mathews | Pruitt | |

—30

BILLS ON THIRD READING

SPECIAL ORDER

The House proceeded to the consideration of the Special Order.

And the bill:

H. 220 (with substitute). To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

This bill provides for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by the Code of Alabama 1940, Title 51, Chapter 25, Article 5 and repeals all laws in conflict herewith. It provides for a 45% distribution to the State and a 55% distribution to the counties and cities. It does not increase present revenue.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The proceeds of the excise tax levied by Code of Alabama 1940, Title 51, Chapter 20, Article 5, less the cost of collecting and administering said article and also less the proceeds thereof derived

from aviation fuel and from marine gasoline, as such terms are used in Code of Alabama 1940, Title 51, Section 647, as amended, shall be paid into the state treasury and allocated and distributed as follows:

(a) Ten percent of such proceeds per annum shall be credited to the sixty-seven counties of this state, and shall be divided and distributed equally among the sixty-seven counties of this state.

(b) Thirty-three percent of said proceeds (before deduction of the above mentioned equal allocation to the sixty-seven counties) shall also be allocated to the sixty-seven counties, and distributed as follows: One-third of such thirty-three percent shall be distributed to the several counties on the basis of population, each county receiving such part of this thirty-three percent of the proceeds as its population is of the whole state's population. For purposes of this distribution the most recent federal decennial census shall be used to determine the population of the state and of the several counties. One-third of such thirty-three percent shall be distributed to the several counties on the basis of the revenue of motor vehicle licenses during the previous year in each county, each county receiving such percentage of this one-third of the thirty-three percent as the revenue of motor vehicle licenses in such county for the previous year is of all the motor vehicle license revenue in Alabama for such year. The remaining one-third of this thirty-three percent shall be distributed to the several counties on the basis of the number of miles of county roads in each county at the close of the prior fiscal year weighted by the cost per mile of such roads, each county receiving such percentage of this one-third of said thirty-three percent as the cost of county roads in such county is of the total cost of county roads in all the counties of the state. The director of the state highway department shall ascertain the number of miles of county roads in each county and shall determine the cost per mile thereof. The cost shall be determined by the average cost of maintenance per mile in said county in the prior year; also the cost per mile of new construction in said county, excluding right of way acquisition and bridge construction. He shall also determine the total number of miles of county roads in the whole state and the cost per mile thereof. He shall certify his findings and determinations to the State comptroller as soon after this act becomes effective as possible and he shall revise and correct such certificates in September of each year. Payment of the amounts hereinabove allocated to the several counties shall be made by the state warrant to be mailed to the treasurer of each county, or to the county depository, on or before the tenth day of each month following collection.

(c) Twelve percent of said revenues (before deduction of any other allocations) shall be allocated to the various incorporated municipalities of the State of Alabama to be divided as follows:

(1) Forty percent of said twelve percent shall be divided to the various municipalities based on population in the municipalities according to the most recent federal decennial census. Each municipality shall receive the proportion of this forty percent as the population in the municipality bears to the total population in all the incorporated municipalities in the State of Alabama.

(2) Sixty percent of said twelve percent shall be divided to the various municipalities based on the number of miles of streets and roads which are inside the boundaries of said municipality. Said mileage figure shall be certified by the governing board or city engineer of each municipality. Each municipality shall receive that proportionate share of said sixty percent of the twelve percent which the total number of miles of streets and roads in said municipality bears relation to the total number of miles of roads and streets in the incorporated municipalities in Alabama.

The remainder of said revenues shall be paid into the state treasury to the credit of the highway department for the public road and bridge fund.

Section 2. Unless the use thereof is inconsistent with the provisions of this act the proceeds of the excise tax levied by said Article 5 of Chapter 20, Title 51, Code of Alabama 1940, as amended or supplemented, accruing to the several counties and to the state highway department from such tax may continue to be used for the same purposes for which they can be legally used when this act becomes law.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended and 657, as amended are hereby amended but not repealed, and all other laws in conflict herewith are hereby repealed.

Section 5. The substantive provisions of this act shall become effective October 1, 1967; however, for the purpose of performing any administrative or clerical duties preparatory to effectuating the provisions hereof, this act shall become effective immediately upon its passage and approval by the governor or its otherwise becoming law.

And the substitute was adopted.

Yeas 63; Nays 32.

Yeas:

| | | | |
|------------------|--------------|--------------|-----------|
| Messrs.: | Doss | Jones | Slate |
| Adwell | Downing | Kilgore | Smith (C) |
| Bank | Drake | Laxson | Smith (P) |
| Beck | Edington | Lybrand | Snodgrass |
| Bowers | Ellis | Malone | Springer |
| Brannan | Gafford | Marr | Starnes |
| Brassell | Gloor | Mathews | Stubbs |
| Burgess | Hain | Mays | Thomas |
| Cameron | Harris | McDonald | Turnham |
| Cherner | Haygood | McElhaney | Waggoner |
| Collins (C) | Higginbotham | McLain | Watkins |
| Collins (W) | Hill | Meeks | Weeks |
| Cook (Jefferson) | Hobbie | Merrill | Williams |
| Crane | Holman | Owens (W.E.) | Wood |
| Culver | House | Pennington | Wright |
| Dill | Jackson (T) | Sessions | Yeilding |

—63

Nays:

| | | | |
|--------------|----------|--------------|------------|
| Mr. Speaker | Crawford | Jackson (F) | Pearson |
| Agee | Dobbs | Lemley | Pruitt |
| Bassett | Fine | Manley | Shumate |
| Berryman (R) | Foshee | McCorquodale | Snell |
| Berryman (W) | Garrett | Meade | Steagall |
| Bolton | Graham | Melton | Stembridge |
| Burgreen | Hardin | Money | Tuck |
| Collier | Harper | Neville | Young |

—32

Mr. Owens (W) offered the following substitute for the bill, H. 220, as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The proceeds of the excise tax levied by Code of Alabama 1940, Title 51, Chapter 20, Article 5, less the cost of collecting and administering said article and also less the proceeds thereof derived from aviation fuel and from marine gasoline, as such terms are used in Code of Alabama 1940, Title 51, Section 647, as amended, shall be paid into the state treasury and allocated and distributed as follows:

(a) Thirty-five percent of such proceeds per annum shall be credited to the sixty-seven counties of this state, and shall be divided and distributed equally among the sixty-seven counties of this state.

(b) Twelve percent of said proceeds (before deduction of the above mentioned equal allocation to the sixty-seven counties) shall also be allocated to the sixty-seven counties, and distributed as follows: One-third of such twelve percent shall be distributed to the several counties on the basis of population, each county receiving such part of this twelve percent of the proceeds as its population is of the whole state's population. For purposes of this distribution the most recent federal decennial census shall be used to determine the population of the state and of the several counties. One-sixth of such twelve percent shall be distributed to the several counties on the basis of the revenue of motor vehicle licenses during the previous year in each county, each county receiving such percentage of this one-sixth of the twelve percent as the revenue of motor vehicle licenses in such county for the previous year is of all the motor vehicle license revenue in Alabama for such year. One-sixth of such twelve percent shall be distributed to the several counties on the basis of the area in each county in square miles. Each county receiving such percentage of the one-sixth of the twelve percent as the number of square miles in such county bears relationship to the total number of square miles in the state as a whole. The remaining one-third of this twelve percent shall be distributed to the several counties on the basis of the number of miles of county roads in each county at the close of the prior fiscal year weighted by the cost per mile of such roads, each county receiving such percentage of this one-third of said twelve percent as the cost of county roads in such county is of the total cost of county roads in all the counties of the state. The director of the state highway department shall ascertain the number of miles of county roads in each county and shall determine the cost per mile thereof. The cost shall be determined by the average cost of maintenance per mile in said county in the prior year; also the cost per mile of new construction in said county, excluding right of way acquisition and bridge construction. He shall also determine the total number of miles of county roads in the whole state and the cost per mile thereof. He shall certify his findings and determinations to the state comptroller as soon after this act becomes effective as possible and he shall revise and correct such certificates in September of each year. Payment of the amounts hereinabove allocated to the several counties shall be made by state warrant to be mailed to the treasurer of each county, or to the county depository, on or before the tenth day of each month following collection.

(c) Ten percent of said revenues (before deduction of any other allocations) shall be allocated to the various incorporated municipalities of the State of Alabama to be divided as follows:

(1) Forty percent of said ten percent shall be divided to the various municipalities based on population in the municipalities. Each municipality shall receive the proportion of this forty percent as the population in the municipality bears to the total population in all the incorporated municipalities in the State of Alabama.

(2) Sixty percent of said ten percent shall be divided to the various municipalities based on the number of miles of streets and roads which are inside the boundaries of said municipality. Each municipality shall receive that proportionate share of said sixty percent of the ten percent which the total number of miles of streets and roads in said municipality bears relation to the total number of miles of roads and streets in the incorporated municipalities in Alabama. (d) The remainder shall be paid into the state treasury to the credit of the highway department for the public road and bridge fund and shall be disbursed for the following purposes and in the order hereinafter set out:

(1) So much thereof as shall be necessary for such purpose to pay the principal of and interest on those bonds heretofore issued in accordance with the provisions of the amendment to the Constitution of Alabama proposed by Act No. 82, adopted by the 1951 Regular Session of the Legislature of Alabama (known as Amendment LXXXVII), authorizing the issuance of bonds in an aggregate principal amount not exceeding \$25,000,000, as the principal of said bonds and interest thereon respectively mature;

(2) So much thereof as shall be necessary for such purpose shall be used to pay the principal and interest on bonds at any time issued by the public corporation known as Alabama highway authority, which was organized under the provisions of Act No. 43, H. 3, First Extra Session 1955 (Acts 1955, p. 66);

(3) So much thereof as shall be necessary for such purpose shall be used to pay the principal of and interest on those bonds heretofore issued by the Alabama highway finance corporation, a public corporation created under Code of Alabama 1940, Title 23, Sections 112-124, whose corporate life has now ended, which may be outstanding at the time of such monthly division, as said principal and interest may mature;

(4) So much thereof as may be necessary for such purpose shall be used to pay the principal of and interest on those bonds heretofore or hereafter issued by the Alabama highway finance corporation, a public corporation created under Act No. 228, H. 452, Regular Session 1965, (Acts 1965, p. 327), which may be outstanding at the time of such monthly division, as said principal and interest shall respectively mature;

(5) Any residue of the proceeds of the tax which are hereinabove allocated to the highway department, remaining after provisions have been made for the primary obligations referred to in items (1) through (4), above, may be used by the highway department, with the approval of the governor, in constructing public roads and bridges within the state as is now or may hereafter be provided by law, and in maintaining the public roads and bridges which have or may hereafter be constructed by the highway department, and for any other purpose for which the road and bridge fund may be legally used.

Section 2. Unless the use thereof is inconsistent with the provisions of this act the proceeds of the excise tax levied by said Article 5 of

Chapter 20, Title 51, Code of Alabama 1940, as amended or supplemented, accruing to the several counties and to the state highway department from such tax may continue to be used for the same purposes for which they can be legally used when this act becomes law.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended and 657, as amended are hereby amended but not repealed, and all other laws in conflict herewith are hereby repealed.

Section 5. The substantive provisions of this act shall become effective October 1, 1967; however, for the purpose of performing any administrative or clerical duties preparatory to effectuating the provisions hereof, this act shall become effective immediately upon its passage and approval by the governor or its otherwise becoming law.

On motion of Mr. Lybrand, the substitute offered by Mr. Owens (W) to the bill, H. 220, as amended, was laid upon the table.

Yeas 57; Nays 45.

Yeas:

| | | | |
|------------------|-------------|--------------|-----------|
| Messrs.: | Downing | Jones | Sessions |
| Adwell | Drake | Kilgore | Slate |
| Bank | Edington | Laxson | Smith (C) |
| Bowers | Ellis | Lybrand | Smith (P) |
| Brassell | Gafford | Malone | Snodgrass |
| Burgess | Gloor | Marr | Springer |
| Cameron | Grayson | McDonald | Starnes |
| Cherner | Harris | McElhaney | Thomas |
| Collins (C) | Haygood | McLain | Waggoner |
| Collins (W) | Hill | Meeks | Watkins |
| Cook (Jefferson) | Hobbie | Merrill | Weeks |
| Crane | Hogan | Owens (W.E.) | Wood |
| Culver | Holman | Pennington | Wright |
| Dill | House | Perloff | Yeilding |
| Doss | Jackson (T) | | |

—57

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Lemley | Pearson |
| Bassett | Foshee | Manley | Pruitt |
| Beck | Garrett | Mathews | Shumate |
| Berryman (R) | Graham | Mays | Snell |
| Berryman (W) | Hain | McCorquodale | Steagall |
| Bolton | Hardin | Meade | Stembridge |
| Brannan | Harper | Melton | Stubbs |
| Burgreen | Headley | Money | Tuck |
| Collier | Higginbotham | Neville | Turnham |
| Cook (Coffee) | Holladay | Owen (Baldwin) | Williams |
| Crawford | Jackson (F) | Owens (W) | Young |
| Dobbs | | | |

—45

MOTIONS TO RECESS LOST

The motion of Mr. Steagall that the House recess until this afternoon at one thirty o'clock P. M. was lost.

Yeas 45; Nays 57.

Yeas:

| | | | |
|---------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | Jackson (F) | Owens (W.E.) |
| Agee | Fine | Lemley | Pruitt |
| Bassett | Foshee | Manley | Shumate |
| Berryman (R) | Garrett | Mathews | Snell |
| Berryman (W) | Graham | Mays | Steagall |
| Blanton | Hain | McCorquodale | Stembridge |
| Bolton | Hardin | Meade | Stubbs |
| Brannan | Harper | Melton | Tuck |
| Burgreen | Headley | Neville | Watkins |
| Collier | Higginbotham | Owen (Baldwin) | Williams |
| Cook (Coffee) | Holladay | Owens (W) | Young |
| Crawford | | | |

—45

Nays:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Doss | Jackson (T) | Perloff |
| Adwell | Downing | Jones | Sessions |
| Bank | Drake | Kilgore | Slate |
| Beck | Edington | Laxson | Smith (C) |
| Bowers | Ellis | Lybrand | Smith (P) |
| Brassell | Gafford | Malone | Snodgrass |
| Brown | Gloor | Marr | Springer |
| Cameron | Grayson | McDonald | Starnes |
| Cherner | Harris | McElhanev | Thomas |
| Collins (C) | Haygood | McLain | Waggoner |
| Collins (W) | Hill | Meeks | Weeks |
| Cook (Jefferson) | Hobbie | Merrill | Wood |
| Crane | Hogan | Pearson | Wright |
| Culver | Holman | Pennington | Yeilding |
| Dill | House | | |

—57

The motion of Mr. Young that the House recess until this afternoon at two o'clock P. M. was lost.

Yeas 42; Nays 54.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Lemley | Pearson |
| Agee | Fine | Manley | Pruitt |
| Bassett | Foshee | Mathews | Shumate |
| Berryman (R) | Garrett | McCorquodale | Steagall |
| Berryman (W) | Hain | Meade | Stembridge |
| Blanton | Hardin | Melton | Stubbs |
| Brannan | Harper | Neville | Tuck |
| Burgreen | Headley | Owen (Baldwin) | Watkins |
| Collier | Higginbotham | Owens (W) | Williams |
| Cook (Coffee) | Holladay | Owens (W.E.) | Young |
| Crawford | Jackson (F) | | |

—42

Nays:

| | | | |
|----------|------------------|----------|-------------|
| Messrs.: | Cherner | Drake | Haygood |
| Adwell | Collins (C) | Edington | Hill |
| Bank | Collins (W) | Ellis | Hobbie |
| Beck | Cook (Jefferson) | Gafford | Hogan |
| Bowers | Crane | Gloor | Holman |
| Brassell | Culver | Graham | House |
| Brown | Dill | Grayson | Jackson (T) |
| Cameron | Downing | Harris | Jones |

| | | | |
|-----------|------------|-----------|----------|
| Kilgore | McLain | Slate | Waggoner |
| Laxson | Meeks | Smith (C) | Weeks |
| Malone | Merrill | Smith (P) | Wood |
| Marr | Pennington | Snodgrass | Wright |
| McDonald | Perloff | Springer | Yeilding |
| McElhanev | Sessions | Thomas | |

—54

The motion of Mr. Hardin that the House recess until this afternoon at two thirty o'clock P. M. was lost.

Yeas 42; Nays 58.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Lemley | Shumate |
| Agee | Fine | Manley | Snell |
| Bassett | Foshee | Mays | Steagall |
| Berryman (R) | Garrett | McCorquodale | Stembridge |
| Berryman (W) | Hain | Meade | Stubbs |
| Blanton | Hardin | Melton | Tuck |
| Brannan | Harper | Neville | Turnham |
| Burgreen | Headley | Owen (Baldwin) | Watkins |
| Collier | Higginbotham | Pearson | Williams |
| Cook (Coffee) | Holladay | Pruitt | Young |
| Crawford | Jackson (F) | | |

—42

Nays:

| | | | |
|------------------|-----------|--------------|-----------|
| Messrs.: | Dill | House | Perloff |
| Adwell | Doss | Jackson (T) | Sessions |
| Bank | Downing | Jones | Slate |
| Beck | Drake | Kilgore | Smith (C) |
| Bowers | Edgington | Laxson | Smith (P) |
| Brassell | Ellis | Lybrand | Snodgrass |
| Brown | Gafford | Malone | Springer |
| Burgess | Gloor | Marr | Starnes |
| Cameron | Graham | McDonald | Thomas |
| Cherner | Grayson | McElhanev | Waggoner |
| Collins (C) | Haygood | McLain | Weeks |
| Collins (W) | Hill | Meeks | Wood |
| Cook (Jefferson) | Hobbie | Merrill | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |
| Culver | Holman | Pennington | |

—58

POINT OF ORDER

Mr. Pruitt raised the following point of order:

Mr. Speaker, I raise a point of order that this bill, H. B. 220, not having received a two-thirds vote of a quorum present and voting has not passed because the contents of said bill to wit: regarding allocation and redistribution of gasoline taxes as provided by the terms of said bill was not included in the Governor's Proclamation convening this special session.

The Speaker ruled that Mr. Pruitt's point of order was not well taken and that the bill, H. 220, as amended, was properly before the House.

BILLS ON THIRD READING RESUMED

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Ala-

bama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

This bill provides for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by the Code of Alabama 1940, Title 51, Chapter 25, Article 5 and repeals all laws in conflict herewith. It provides for a 45% distribution to the State and a 55% distribution to the counties and cities. It does not increase present revenue.

As amended, was again taken up, read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 40.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Dill | Jackson (T) | Perloff |
| Adwell | Doss | Jones | Sessions |
| Bank | Downing | Kilgore | Slate |
| Beck | Drake | Laxson | Smith (C) |
| Blanton | Edington | Lybrand | Smith (P) |
| Bowers | Ellis | Malone | Snodgrass |
| Brannan | Gafford | Marr | Springer |
| Brassell | Gloor | Mays | Starnes |
| Brown | Grayson | McDonald | Stembridge |
| Burgess | Harris | McElhanev | Thomas |
| Cameron | Haygood | McLain | Waggoner |
| Cherner | Hill | Meeks | Watkins |
| Collins (C) | Hobbie | Merrill | Weeks |
| Collins (W) | Hogan | Owen (Baldwin) | Wood |
| Cook (Jefferson) | Holman | Owens (W.E.) | Wright |
| Crane | House | Pennington | Yeilding |
| Culver | | | |

—64

Nays:

| | | | |
|---------------|--------------|--------------|-----------|
| Mr. Speaker | Dobbs | Holladay | Owens (W) |
| Agee | Fine | Jackson (F) | Pearson |
| Bassett | Foshee | Lemley | Pruitt |
| Berryman (R) | Garrett | Manley | Shumate |
| Berryman (W) | Graham | Mathews | Snell |
| Bolton | Hain | McCorquodale | Steagall |
| Burgreen | Hardin | Meade | Stubbs |
| Collier | Harper | Melton | Tuck |
| Cook (Coffee) | Headley | Money | Williams |
| Crawford | Higginbotham | Neville | Young |

—40

POINT OF ORDER

Mr. Pruitt raised the following point of order:

Mr. Speaker, I raise a point of order that this bill, H. B. 220, not having received a two-thirds vote of a quorum present and voting has not passed because the contents of said bill to wit: regarding allocation and redistribution of gasoline taxes as provided by the terms of said bill was not included in the Governor's Proclamation convening this special session.

The Speaker ruled that Mr. Pruitt's point of order was not well taken.

BILLS ON THIRD READING RESUMED

H. 219 (with substitute) (with amendment). To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; to place certain duties on the director of the state highway department, the state commissioner of revenue, the state comptroller and the state treasurer; to prescribe penalties; and to repeal conflicting laws.

This bill levies additional license fees on motor vehicles. It provides for $\frac{1}{2}$ of 1% to the Probate Judges and a 5% deduction for state tax commission expense. A total new revenue under this measure is \$15,-288,414.66 divided as follows:

| | |
|----------|------------------|
| State | \$ 13,453,804.88 |
| Counties | 1,834,609.78 |

Was taken up.

The question was upon the adoption of the substitute and amendment reported by the Standing Committee on Ways and Means, said committee substitute and amendment being as follows:

WAYS & MEANS COMMITTEE SUBSTITUTE FOR HB NO. 219

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Unless the context clearly indicates a different meaning all words and phrases which are defined in Code of Alabama 1940, Title 51, Chapter 20, Article 8, and particularly in Section 692 thereof, shall have the same meanings for purposes of this act as are ascribed to them in said Article 8.

Section 2. In addition to all other taxes and license and registration fees or charges levied pursuant to law upon motor vehicles or upon the privilege of using motor vehicles upon the public roads or highways of this state, there is hereby levied and shall be paid annually on each motor vehicle licensed in Alabama a special registration fee. Such special registration fee shall be:

(a) For each automobile, ten dollars (\$10.00). Station wagons, jeeps, and similar motor vehicles that are designed primarily for the transportation of passengers and that are kept for private use shall be deemed to be automobiles designed and used primarily for private passenger purposes within the meaning of this section. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks", regardless of the use made of any such motor truck and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute automobiles designed and used primarily for

private passenger purposes; and house trailers shall also not be deemed to constitute such automobiles.

(b) On motorcycles:

(1) For each motorcycle—four dollars;

(c) On mobile homes:

(1) For each mobile home—five dollars;

(d) On trucks:

(1) For “pick-up” trucks, thirteen dollars, which license shall be in lieu of the license prescribed by Title 51, Section 697, Code of Alabama 1940; and license prescribed by Act No. 775, H. 40, Regular Session 1953 (Acts 1953, p. 1046).

(2) For other trucks when not used for hire or as common carriers and not to be licensed under Act No. 672, H. 479, Regular Session 1961 (Acts 1961, p. 921), as amended, the special registration fee hereby levied shall be based on the manufacturer’s rated capacity stamped on the truck and shall be:

(a) For trucks less than one ton and excluding the type commonly known as “pick-ups” or “pick-up trucks”—ten dollars

(b) for trucks of one ton and less than two tons—twelve dollars,

(c) for trucks of two tons and less than three tons—fourteen dollars,

(d) for trucks of three tons and less than four tons—sixteen dollars,

(e) for trucks of four tons and less than five tons—eighteen dollars,

(f) for trucks of five tons or more—twenty dollars;

(3) For each truck and each truck-trailer which is operated for hire or under any rental, lease or other agreement whereby compensation is charged for the use of such vehicle and such vehicle is to be licensed under Act No. 672, H. 479, Regular Session 1961 (Acts 1961, p. 921), as amended, the special registration fee hereby levied shall be based on the maximum gross weight of the vehicle in the same manner as the license prescribed in said Act No. 672, and shall be the amount set out below for trucks or truck-tractors having maximum gross weights within the brackets below:

(a) 0 to 8,000 pounds—ten dollars

(b) 8,001 to 12,000 pounds—twelve dollars

(c) 12,001 to 18,000 pounds—fourteen dollars

(d) 18,001 to 24,000 pounds—sixteen dollars

(e) 24,001 to 30,000 pounds—eighteen dollars

(f) 30,001 to 36,000 pounds—twenty dollars

(g) 36,001 to 42,000 pounds—twenty-two dollars

(h) 42,001 or more pounds—twenty-four dollars

(i) On taxicabs:

(1) For each vehicle—ten dollars;

(j) On busses:

(1) For each bus operated as a common carrier or for hire—ten dollars;

(k) On ambulances and hearses:

(1) for each vehicle—five dollars;

(l) On trailers and semi-trailers:

(1) On trailers and semi-trailers to be licensed under Code of Alabama 1940, Title 51, Section 703 the special registration fee hereby levied shall be one-half the amount prescribed in subsection d(2) for the truck by which the trailer or semi-trailer is drawn,

(2) on trailers and semi-trailers, which are to be licensed under Act No. 672, H. 479, Regular Session 1961, as amended (cited supra) the special registration fee hereby levied shall be fifteen dollars.

Section 3. It is provided, however, that for new and used vehicles acquired or brought into the state subsequent to November fifteenth in any tax year the registration fee hereby levied shall be computed on a quarterly declining basis of one-fourth off for each quarter of the fiscal year which has expired, and that the purchaser shall pay only for the then remaining months of the tax year. In figuring the registration fee in a one-quarter reduction for each quarter, the amount of any fraction shall be figured to the nearest ten cents above the fraction thereof; but in no event shall the registration fee be less than two dollars.

Section 4. Motor vehicles owned and used by the state, counties or municipalities of this state shall not be liable for the payment of the registration fee hereby levied. Every trailer or semi-trailer and every other vehicle which is exempt from paying a license under Code of Alabama 1940, Title 51, Chapter 20, Article 8 is also exempt from paying the special registration fee hereby levied.

Section 5. The special registration fees hereby levied shall be collected by the judges of probate or other officials issuing motor vehicle in the counties at the same time that the licenses prescribed by Code of Alabama 1940, Title 51, Chapter 20, Article 8 are collected, and the receipts and tags issued to evidence the payment of the license and registration fees prescribed in said article shall be evidence of the payment of the registration fee hereby levied. The judges of probate or other officials issuing motor vehicle licenses are hereby directed not to issue or deliver a license tag to an applicant therefor unless such applicant pays the special registration fee hereby prescribed in addition to any and all taxes, fees and charges which are prerequisite to the issuance and delivery of the receipts and tags pursuant to said Article 8.

Section 6. The moneys collected as special registration fees under this act, less the probate judges' commission and all expenses of collection, shall be distributed as follows:

Five percent of all moneys collected under this Act and Section 712, Title 51, Code of Alabama 1940, as amended, shall be remitted to the State Treasurer as administrative costs. This shall be in lieu of any commissions, expenses, or administrative costs presently in effect paid to the state.

Eighty-eight percent of the total net revenues, which shall be defined as revenues remaining after the deduction of commissions and expenses from the total revenues received under this act, shall be paid into the state treasury to the credit of the public road and bridge fund.

Twelve percent of the net revenues derived under this act shall be set aside in the state treasury to the credit of the several counties of the state and the municipalities therein and shall be divided as follows: Seventy percent of said twelve percent shall be divided equally among

the several counties of the state, and the governing body of the several counties shall apportion such funds between the county and the municipalities therein proportionately on the basis of the total number of motor vehicles registered within the county and the municipalities therein. Thirty percent of the said twelve percent shall be apportioned among the several counties of the state in the direct proportion that their total vehicular registration bears to the total vehicular registration of the whole state; and such funds so allocated shall be divided between the county and the municipalities therein proportionately on the basis of the total number of motor vehicles registered within the county and the municipalities therein.

Payments of the amounts herein allocated or provided for counties shall be made quarterly by state warrant to be mailed to the treasurers or depositories of said counties; and allocations to cities and towns shall be made forthwith upon receipt of such funds by the several counties.

The proceeds from the registration fees hereby levied derived by the state, and by the municipalities of the state, respectively, may be used for the same purposes and only these purposes, as moneys derived by the state and the municipalities thereof from motor vehicle licenses levied by Code of Alabama 1940, Title 51, Chapter 20, Article 8.

Section 7. The judge of probate or other officials issuing motor vehicle licenses in each county shall, at the same time and in the same manner that he remits his collections of motor vehicle licenses as required by Code 1940, Title 51, Section 712, as amended, remit to the state treasurer, at the expense of the state, all money received by him for special registration fees collected under this act. The judge of probate or other officer collecting the special registration fees shall be entitled to one-half of one percent of the amount of money so collected for the issuance of special registration fees as his compensation. He may deduct from his remittances to the state treasury his commissions on that part of such fees which is due, but he shall not be allowed any commission on any money not remitted within the time prescribed by law for the remittance of money collected for motor vehicle licenses. If the judge of probate or other official charged with the duty of collecting the registration fees hereby levied fails to comply with this section within the time prescribed for remitting motor vehicle license moneys, such fact shall be reported by the comptroller to the governor; and such judge or other official shall be proceeded against in the same manner prescribed for his failure to report the list of motor vehicle licenses and to pay over the amounts collected as provided in said Code 1940, Title 51, Section 712, as amended. The commissioner of revenue may prescribe rules and regulations governing the manner of showing the collection of special permit fees on the reports of the several judges of probate or other officials issuing motor vehicle licenses.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws and parts of laws in conflict herewith are repealed; and those provisions of Code of Alabama 1940, Title 51, Section 711, which conflict herewith are specifically repealed.

Section 10. The substantive provisions of this Act shall become effective on October 1, 1967; however, for the purpose of performing any administrative or clerical duties preparatory to effectuating the provisions hereof, this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 58; Nays 37.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Crane | Hogan | Pennington |
| Adwell | Culver | Holman | Perloff |
| Bank | Dill | House | Sessions |
| Beck | Downing | Jackson (T) | Smith (C) |
| Berryman (W) | Drake | Jones | Smith (P) |
| Blanton | Edington | Kilgore | Snodgrass |
| Bowers | Ellis | Laxson | Springer |
| Brannan | Gafford | Lybrand | Starnes |
| Brassell | Gloor | Malone | Stubbs |
| Brown | Grayson | McDonald | Thomas |
| Cameron | Hain | McElhaney | Waggoner |
| Cherner | Harris | McLain | Weeks |
| Collins (C) | Haygood | Meeks | Wright |
| Collins (W) | Hill | Merrill | Yeilding |
| Cook (Jefferson) | Hobbie | Owens (W.E.) | |

—58

Nays:

| | | | |
|---------------|--------------|--------------|-----------|
| Mr. Speaker | Doss | Holladay | Owens (W) |
| Bassett | Fine | Jackson (F) | Pearson |
| Berryman (R) | Foshee | Lemley | Pruitt |
| Bolton | Garrett | Manley | Slate |
| Burgess | Graham | Marr | Snell |
| Burgreen | Hardin | Mathews | Steagall |
| Collier | Harper | McCorquodale | Tuck |
| Cook (Coffee) | Headley | Melton | Watkins |
| Crawford | Higginbotham | Neville | Young |
| Dobbs | | | |

—37

And

WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 219 AS SUBSTITUTED

Amend H B 219 as substituted by adding at the end of Section 3 thereof the following sentence

“Provided further that the declining basis herein provided shall apply only on those classes of licenses for which it applies under present law.”

And the amendment was adopted.

Yeas 66; Nays 35.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Messrs.: | Dill | Jackson (T) | Sessions |
| Adwell | Doss | Jones | Slate |
| Bank | Downing | Kilgore | Smith (C) |
| Beck | Drake | Laxson | Smith (P) |
| Blanton | Edington | Lybrand | Snodgrass |
| Bolton | Ellis | Malone | Springer |
| Bowers | Gafford | Mays | Starnes |
| Brannan | Gloor | McDonald | Stembridge |
| Brassell | Grayson | McElhaney | Stubbs |
| Brown | Hain | McLain | Thomas |
| Cameron | Harris | Meeks | Turnham |
| Cherner | Haygood | Merrill | Waggoner |
| Collins (C) | Hill | Money | Weeks |
| Collins (W) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Wright |
| Crane | Holman | Pennington | Yeilding |
| Culver | House | Perloff | |

—66

Nays:

| | | | |
|---------------|--------------|--------------|-----------|
| Mr. Speaker | Fine | Jackson (F) | Owens (W) |
| Bassett | Foshee | Lemley | Pearson |
| Berryman (R) | Garrett | Manley | Pruitt |
| Berryman (W) | Graham | Marr | Snell |
| Burgreen | Hardin | Mathews | Steagall |
| Collier | Harper | McCorquodale | Tuck |
| Cook (Coffee) | Headley | Meade | Wood |
| Crawford | Higginbotham | Melton | Young |
| Dobbs | Holladay | Neville | |

—35

UNANIMOUS CONSENT GRANTED

Mr. Burgess requested unanimous consent that the Journal show that he was temporarily out of the House when the amendment reported by the Standing Committee on Ways and Means to the bill, H. 219, as amended, was up for adoption. He requested that the Journal show that had he been present he would have voted "yea".

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF H. 219, AS AMENDED

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

As amended, was again taken up.

Mr. Shumate offered the following amendment to the bill, H. 219 as amended:

In subsection (a) of Section 2, strike out the words and figures "ten dollars (\$10.00)" and insert the words and figures "three dollars (\$3.00)"

On motion of Mr. Lybrand the amendment offered by Mr. Shumate to the bill, H. 219, as amended, was laid upon the table.

Yeas 54; Nays 47.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Dill | Jackson (T) | Sessions |
| Bank | Downing | Jones | Smith (C) |
| Beck | Drake | Kilgore | Smith (P) |
| Blanton | Edington | Laxson | Snodgrass |
| Bowers | Ellis | Lybrand | Springer |
| Brassell | Gafford | Malone | Starnes |
| Burgess | Gloor | McDonald | Stubbs |
| Cameron | Hain | McElhaney | Thomas |
| Cherner | Harris | McLain | Waggoner |
| Collins (C) | Haygood | Meeks | Weeks |
| Collins (W) | Hill | Merrill | Wright |
| Cook (Jefferson) | Hogan | Money | Yeilding |
| Crane | Holman | Owens (W.E.) | |

—54

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Manley | Pruitt |
| Agee | Fine | Marr | Shumate |
| Bassett | Foshee | Mathews | Slate |
| Berryman (R) | Garrett | Mays | Snell |
| Berryman (W) | Graham | McCorquodale | Steagall |
| Bolton | Hardin | Meade | Stembridge |
| Brannan | Harper | Melton | Tuck |
| Burgreen | Headley | Neville | Turnham |
| Collier | Higginbotham | Owen (Baldwin) | Watkins |
| Cook (Coffee) | Holladay | Owens (W) | Wood |
| Crawford | Jackson (F) | Paulk | Young |
| Dobbs | Lemley | Pearson | |

—47

Mr. Turnham offered the following amendment to the bill, H. 219, as amended:

In Section 2, strike out Subsection c.

The motion of Mr. Lybrand to lay upon the table the amendment offered by Mr. Turnham to the bill, H. 219, as amended, was lost.

Yeas 51; Nays 52.

Yeas:

| | | | |
|------------------|-------------|------------|------------|
| Messrs.: | Doss | Jones | Slate |
| Adwell | Downing | Kilgore | Smith (C) |
| Bank | Drake | Laxson | Smith (P) |
| Bowers | Gafford | Lybrand | Snodgrass |
| Brassell | Gloor | Malone | Springer |
| Burgess | Grayson | McDonald | Starnes |
| Cameron | Harris | McElhaney | Steagall |
| Cherner | Haygood | McLain | Stembridge |
| Collins (W) | Hill | Meeks | Thomas |
| Cook (Jefferson) | Hogan | Merrill | Waggoner |
| Crane | Holman | Pennington | Weeks |
| Culver | House | Perloff | Wright |
| Dill | Jackson (T) | Sessions | Yeilding |

—51

Nays:

| | | | |
|---------------|--------------|----------------|--------------|
| Mr. Speaker | Edington | Jackson (F) | Owens (W.E.) |
| Agee | Ellis | Lemley | Paulk |
| Bassett | Fine | Manley | Pearson |
| Berryman (R) | Foshee | Marr | Pruitt |
| Berryman (W) | Garrett | Mathews | Shumate |
| Blanton | Graham | Mays | Snell |
| Bolton | Hain | McCorquodale | Stubbs |
| Brannan | Hardin | Meade | Tuck |
| Brown | Harper | Melton | Turnham |
| Burgreen | Headley | Money | Watkins |
| Collier | Higginbotham | Neville | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wood |
| Dobbs | Holladay | Owens (W) | Young |

—52

The question was then on the adoption of the amendment offered by Mr. Turnham to the bill, H. 219, as amended, and said amendment was adopted.

Yeas 84; Nays 18.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Lybrand | Pruitt |
| Agee | Downing | Malone | Sessions |
| Bassett | Edington | Manley | Shumate |
| Beck | Ellis | Marr | Slate |
| Berryman (R) | Fine | Mays | Smith (C) |
| Berryman (W) | Foshee | McCorquodale | Smith (P) |
| Blanton | Garrett | McDonald | Snell |
| Bolton | Graham | McElhaney | Snodgrass |
| Brannan | Grayson | Meade | Springer |
| Brassell | Hain | Meeks | Starnes |
| Brown | Hardin | Melton | Stembridge |
| Burgess | Harper | Merrill | Stubbs |
| Burgreen | Haygood | Money | Thomas |
| Collier | Headley | Neville | Tuck |
| Collins (C) | Higginbotham | Owen (Baldwin) | Turnham |
| Collins (W) | Hill | Owens (W) | Watkins |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Williams |
| Crane | Hogan | Paulk | Wood |
| Crawford | Holladay | Pearson | Wright |
| Dill | Laxson | Pennington | Yeilding |
| Dobbs | Lemley | Perloff | Young |

—84

Nays:

| | | | |
|------------------|---------|-------------|----------|
| Messrs.: | Drake | House | McLain |
| Adwell | Gafford | Jackson (F) | Steagall |
| Bowers | Gloor | Jackson (T) | Waggoner |
| Cameron | Harris | Jones | Weeks |
| Cook (Jefferson) | Holman | Kilgore | |

—18

Mr. Shumate offered the following amendment to the bill, H. 219, as amended:

In subsection (a) of Section 2, strike out the words and figures "ten dollars (\$10.00)" and insert the words and figures "five dollars (\$5.00)"

On motion of Mr. Lybrand the amendment offered by Mr. Shumate to the bill, H. 219, as amended, was laid upon the table.

Yeas 55; Nays 48.

Yeas:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Crane | Hogan | Owens (W.E.) |
| Adwell | Culver | Holman | Perloff |
| Bank | Dill | House | Sessions |
| Beck | Downing | Jackson (T) | Smith (C) |
| Blanton | Drake | Jones | Smith (P) |
| Bowers | Edington | Kilgore | Snodgrass |
| Brassell | Ellis | Laxson | Springer |
| Burgess | Gafford | Lybrand | Starnes |
| Burgreen | Gloor | Malone | Stubbs |
| Cameron | Grayson | McDonald | Thomas |
| Cherner | Harris | McElhaney | Waggoner |
| Collins (C) | Haygood | McLain | Weeks |
| Collins (W) | Hill | Meeks | Wright |
| Cook (Jefferson) | Hobbie | Merrill | Yeilding |

—55

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Marr | Pruitt |
| Agee | Foshee | Mathews | Shumate |
| Bassett | Garrett | Mays | Slate |
| Berryman (R) | Graham | McCorquodale | Snell |
| Berryman (W) | Hardin | Meade | Steagall |
| Bolton | Harper | Melton | Stembridge |
| Brannan | Headley | Money | Tuck |
| Collier | Higginbotham | Neville | Turnham |
| Cook (Coffee) | Holladay | Owen (Baldwin) | Watkins |
| Crawford | Jackson (F) | Owens (W) | Williams |
| Dobbs | Lemley | Paulk | Wood |
| Doss | Manley | Pearson | Young |

—48

Mr. Shumate offered the following amendment to the bill, H. 219, as amended:

In subsection (a) of Section 2, strike out the words and figures "ten dollars (\$10.00)" and insert the words and figures "seven dollars (\$7.00)"

On motion of Mr. Lybrand the amendment offered by Mr. Shumate to the bill, H. 219, as amended, was laid upon the table.

Yeas 57; Nays 48.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Culver | House | Perloff |
| Adwell | Dill | Jackson (T) | Sessions |
| Bank | Downing | Jones | Smith (C) |
| Beck | Drake | Kilgore | Smith (P) |
| Blanton | Edington | Laxson | Snodgrass |
| Bowers | Ellis | Lybrand | Springer |
| Brassell | Gafford | Malone | Starnes |
| Burgess | Gloor | McDonald | Stubbs |
| Burgreen | Grayson | McElhaney | Thomas |
| Cameron | Harris | McLain | Waggoner |
| Cherner | Haygood | Meeks | Weeks |
| Collins (C) | Hill | Merrill | Wood |
| Collins (W) | Hobbie | Owens (W.E.) | Wright |
| Cook (Jefferson) | Hogan | Pennington | Yeilding |
| Crane | Holman | | |

—57

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Lemley | Pearson |
| Agee | Fine | Manley | Pruitt |
| Bassett | Foshee | Marr | Shumate |
| Berryman (R) | Garrett | Mays | Slate |
| Berryman (W) | Graham | McCorquodale | Snell |
| Bolton | Hain | Meade | Steagall |
| Brannan | Hardin | Melton | Stembridge |
| Brown | Harper | Money | Tuck |
| Collier | Headley | Neville | Turnham |
| Cook (Coffee) | Higginbotham | Owen (Baldwin) | Watkins |
| Crawford | Holladay | Owens (W) | Williams |
| Dobbs | Jackson (F) | Paulk | Young |

—48

MOTION TO RECESS LOST

The motion of Mr. Steagall that the House recess until this afternoon at 3:15 o'clock P. M. was lost.

Yeas 38; Nays 61.

Yeas:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Marr | Shumate |
| Agee | Foshee | Mathews | Slate |
| Bassett | Garrett | McCorquodale | Snell |
| Berryman (R) | Hain | Meade | Steagall |
| Berryman (W) | Hardin | Melton | Stembridge |
| Bolton | Harper | Neville | Tuck |
| Collier | Higginbotham | Owens (W) | Turnham |
| Cook (Coffee) | Holladay | Pearson | Williams |
| Dobbs | Lemley | Pruitt | Young |
| Doss | Manley | | |

—38

Nays:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | House | Pennington |
| Adwell | Dill | Jackson (F) | Perloff |
| Bank | Downing | Jackson (T) | Sessions |
| Beck | Drake | Jones | Smith (C) |
| Bowers | Edington | Kilgore | Smith (P) |
| Brassell | Ellis | Lybrand | Snodgrass |
| Brown | Gafford | Malone | Springer |
| Burgess | Gloor | Mays | Starnes |
| Burgreen | Graham | McDonald | Stubbs |
| Cameron | Grayson | McElhaney | Thomas |
| Cherner | Harris | McLain | Waggoner |
| Collins (C) | Haygood | Meeks | Weeks |
| Collins (W) | Hill | Merrill | Wood |
| Cook (Jefferson) | Hobbie | Money | Wright |
| Crane | Hogan | Owens (W.E.) | Yeilding |
| Crawford | Holman | | |

—61

FURTHER CONSIDERATION OF H. 219, AS AMENDED

Mr. Crawford offered the following amendment to the bill, H. 219, as amended:

Amend Section 2. Sub. section a to read: For each automobile four dollars—\$4.00

On motion of Mr. Lybrand the amendment offered by Mr. Crawford to the bill, H. 219, as amended, was laid upon the table.

Yeas 58; Nays 44.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Crane | Holman | Pennington |
| Adwell | Culver | House | Perloff |
| Bank | Dill | Jackson (T) | Sessions |
| Beck | Downing | Jones | Smith (C) |
| Blanton | Drake | Kilgore | Smith (P) |
| Bowers | Edington | Laxson | Snodgrass |
| Brassell | Ellis | Lybrand | Springer |
| Brown | Gafford | Malone | Starnes |
| Burgess | Gloor | McDonald | Stubbs |
| Burgreen | Grayson | McElhaney | Thomas |
| Cameron | Hain | McLain | Waggoner |
| Cherner | Harris | Meeks | Weeks |
| Collins (C) | Hill | Merrill | Wright |
| Collins (W) | Hobbie | Money | Yeilding |
| Cook (Jefferson) | Hogan | Owens (W.E.) | |

—58

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Manley | Pruitt |
| Agee | Foshee | Marr | Shumate |
| Bassett | Garrett | Mathews | Slate |
| Berryman (R) | Graham | Mays | Snell |
| Berryman (W) | Hardin | McCorquodale | Steagall |
| Brannan | Harper | Meade | Stembridge |
| Collier | Headley | Melton | Tuck |
| Cook (Coffee) | Higginbotham | Neville | Turnham |
| Crawford | Holladay | Owen (Baldwin) | Williams |
| Dobbs | Jackson (F) | Owens (W) | Wood |
| Doss | Lemley | Pearson | Young |

—44

Mr. Garrett offered the following amendment to the bill, H. 219, as amended:

Delete Section 2 of H. B. 219 and insert therefor the following: Each private truck in the State of Alabama shall buy a license based on owners declared Gross Vehicle Weight rather than on manufacturers rating schedule.

On motion of Mr. Lybrand the amendment offered by Mr. Garrett to the bill, H. 219, as amended, was laid upon the table.

Yeas 60; Nays 34.

Yeas:

| | | | |
|-------------|-------------|--------------|------------|
| Messrs.: | Dill | Jackson (T) | Sessions |
| Adwell | Doss | Kilgore | Shumate |
| Bank | Downing | Laxson | Slate |
| Beck | Drake | Lybrand | Smith (C) |
| Bowers | Edington | Malone | Smith (P) |
| Brassell | Ellis | Marr | Snodgrass |
| Brown | Foshee | McDonald | Springer |
| Burgess | Gloor | McElhaney | Starnes |
| Burgreen | Hain | McLain | Stembridge |
| Cameron | Harper | Meeks | Thomas |
| Cherner | Harris | Merrill | Waggoner |
| Collins (C) | Hogan | Money | Weeks |
| Collins (W) | Holman | Owens (W.E.) | Williams |
| Crane | House | Pennington | Wright |
| Crawford | Jackson (F) | Perloff | Yeilding |
| Culver | | | |

—60

Nays:

| | | | |
|---------------|--------------|----------------|----------|
| Mr. Speaker | Garrett | Manley | Pearson |
| Agee | Graham | Mays | Pruitt |
| Bassett | Grayson | McCorquodale | Snell |
| Blanton | Hardin | Meade | Steagall |
| Brannan | Haygood | Melton | Stubbs |
| Collier | Higginbotham | Neville | Tuck |
| Cook (Coffee) | Hill | Owen (Baldwin) | Wood |
| Dobbs | Holladay | Owens (W) | Young |
| Fine | Lemley | | |

—34

And said bill, H. 219, as amended was read a third time at length and passed.

Yeas 52; Nays 50.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Crane | Holman | Pennington |
| Adwell | Culver | House | Perloff |
| Bank | Dill | Jackson (T) | Sessions |
| Beck | Downing | Kilgore | Smith (C) |
| Blanton | Drake | Laxson | Snodgrass |
| Bowers | Edington | Lybrand | Springer |
| Brassell | Ellis | Malone | Starnes |
| Brown | Gafford | McElhanev | Stubbs |
| Burgreen | Gloor | McLain | Thomas |
| Cameron | Grayson | Meeks | Waggoner |
| Cherner | Hain | Merrill | Watkins |
| Collins (C) | Harris | Money | Wright |
| Collins (W) | Hogan | Owens (W.E.) | Yeilding |
| Cook (Jefferson) | | | |

—52

Nays:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Manley | Shumate |
| Agee | Foshee | Marr | Slate |
| Bassett | Garrett | Mathews | Smith (P) |
| Berryman (R) | Graham | Mays | Snell |
| Berryman (W) | Hardin | McCorquodale | Steagall |
| Bolton | Harper | Meade | Stembridge |
| Brannan | Haygood | Melton | Tuck |
| Burgess | Higginbotham | Neville | Turnham |
| Collier | Hill | Owen (Baldwin) | Weeks |
| Cook (Coffee) | Hobbie | Owens (W) | Williams |
| Crawford | Holladay | Pearson | Wood |
| Dobbs | Jackson (F) | Pruitt | Young |
| Doss | Lemley | | |

—50

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE LIEUTENANT GOVERNOR

April 11, 1967

Honorable Rankin Fite
Speaker, House of Representatives
State Capitol
Montgomery, Alabama

Dear Mr. Speaker:

Please announce to the Members of the House that I am calling a meeting of the Committee of the whole authorized by House Joint Resolution 61 for 10:00 A. M. on Wednesday, April 12 in the House Chambers.

Sincerely yours,

ALBERT P. BREWER,
Lieutenant Governor.

APB/eh

Read and filed.

UNANIMOUS CONSENTS GRANTED

Mr. Jones requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 219, as amended, was up for passage. He requested that the Journal show that had he been present he would have voted "yea".

Mr. Headley requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 219, as amended, was up for passage. He requested that the Journal show that had he been present he would have voted "nay".

BILLS ON THIRD READING RESUMED

H. 221 (with substitute). To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

This bill provides for the financing and construction of public roads and bridges in the State of Alabama. It authorizes the Alabama Highway Authority to sell and issue from time to time bonds in the principal sum of \$160,000,000.

Was taken up.

MOTION TO RECESS LOST

The motion of Mr. Manley that the House recess until this afternoon at 2:50 o'clock P. M. was lost.

Yeas 35; Nays 64.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Foshee | Mathews | Shumate |
| Agee | Harper | Mays | Snell |
| Berryman (R) | Headley | McCorquodale | Steagall |
| Berryman (W) | Higginbotham | Meade | Stembridge |
| Blanton | Hill | Neville | Tuck |
| Bolton | Hobbie | Owen (Baldwin) | Turnham |
| Collier | Holladay | Owens (W) | Watkins |
| Crawford | Lemley | Pearson | Williams |
| Doss | Manley | Pruitt | |

—35

Nays:

| | | | |
|------------------|----------|-------------|--------------|
| Messrs.: | Culver | Holman | Owens (W.E.) |
| Adwell | Dill | House | Pennington |
| Bank | Dobbs | Jackson (F) | Perloff |
| Bassett | Downing | Jackson (T) | Sessions |
| Beck | Drake | Jones | Smith (C) |
| Bowers | Edington | Kilgore | Smith (P) |
| Brannan | Ellis | Laxson | Springer |
| Brassell | Fine | Lybrand | Starnes |
| Brown | Gafford | Malone | Stubbs |
| Burgess | Gloor | Marr | Thomas |
| Burgreen | Graham | McDonald | Waggoner |
| Cameron | Grayson | McElhaney | Weeks |
| Cherner | Hardin | McLain | Wood |
| Collins (C) | Harris | Meeks | Wright |
| Collins (W) | Haygood | Melton | Yeilding |
| Cook (Jefferson) | Hogan | Merrill | Young |
| Crane | | | |

—64

BILLS ON THIRD READING RESUMED

H. 221 (with substitute). To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and in-

terest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

This bill provides for the financing and construction of public roads and bridges in the State of Alabama. It authorizes the Alabama Highway Authority to sell and issue from time to time bonds in the principal sum of \$160,000,000.

Was again taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS & MEANS COMMITTEE
SUBSTITUTE FOR H. B. 221

A BILL
TO BE ENTITLED
AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama and by Act No. 26 adopted

at the First Special Session of 1963 of the Legislature of Alabama, or by any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate and rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolutions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Governor of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said ap-

proval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect

or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof). The proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construction, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States, before being applied for other highway and bridge purposes. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(A) No section of this act shall be construed in such a way as to upset prior liens pledged to the funding of principal and interest of bonds sold prior to the passage of this act. All money out of the state's portion of the gasoline excise tax which is not used in any one year to pay the apportionate principals and interest on prior bonded indebtedness shall hereby be pledged to the payment of principal and interest on the bond authorized in section one of this act.

(B) To such an extent and to such extent only as the revenue appropriated under the foregoing section A of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds so much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle licenses and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of Section 713 of Title 51, Code of Alabama 1940, as amended; and

(C) To such extent and to such extent only as the revenues appropriated under the foregoing subsections (A and B) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose (when added to the amounts appropriated in the said subsection (A) of that portion of the highway gasoline tax net proceeds that is referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, after there shall have been taken therefrom the amounts necessary for the purposes specified in clauses (1) and (2) of subsection (a) of the said Section 657, as amended.

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The term "highway gasoline tax net proceeds," wherever used in this act, shall be deemed to have the meaning given that term as defined in the said Section 657, as amended.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest maturing with respect to the series of the bonds during any fiscal year of the state, when added to the total principal and interest maturing during the same fiscal year on (a) those bonds of the corporation then outstanding that were issued under this act, and (b) those bonds heretofore issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the highway gasoline tax net proceeds referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, collected by the state during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, less the total amount required to be set aside during each fiscal year pursuant to clause (1) of the said subsection (a), and (2) whichever of the following shall be applicable (i) if the said proposed bonds are to be issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to Section 713 of the said Title 51, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, or (ii) if the said proposed bonds are to be issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, if the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle licenses and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the highway gasoline tax net proceeds and the amounts referred to in the foregoing clause (2) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the state.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 9 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 67; Nays 34.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Crane | Holman | Pennington |
| Adwell | Dill | House | Perloff |
| Bank | Downing | Jackson (T) | Sessions |
| Beck | Drake | Jones | Smith (C) |
| Berryman (R) | Edington | Kilgore | Smith (P) |
| Blanton | Ellis | Laxson | Snodgrass |
| Bolton | Gafford | Lybrand | Springer |
| Bowers | Gloor | Malone | Starnes |
| Brannan | Graham | Marr | Steagall |
| Brassell | Grayson | Mays | Stubbs |
| Brown | Hain | McDonald | Turnham |
| Burgess | Harris | McElhaney | Waggoner |
| Burgreen | Haygood | McLain | Watkins |
| Cameron | Hill | Meeks | Weeks |
| Cherner | Hobbie | Merrill | Williams |
| Collins (C) | Hogan | Money | Wright |
| Cook (Jefferson) | Holladay | Owens (W.E.) | Yeilding |

—67

Nays:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Doss | Mathews | Shumate |
| Agee | Fine | McCorquodale | Slate |
| Bassett | Foshee | Meade | Snell |
| Berryman (W) | Hardin | Melton | Stembridge |
| Collier | Harper | Neville | Thomas |
| Cook (Coffee) | Higginbotham | Owens (W) | Tuck |
| Crawford | Jackson (F) | Pearson | Wood |
| Culver | Lemley | Pruitt | Young |
| Dobbs | Manley | | |

—34

And said bill, H. 221, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 20.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Crawford | Holman | Pennington |
| Adwell | Culver | House | Perloff |
| Bank | Dill | Jackson (T) | Sessions |
| Beck | Dobbs | Jones | Shumate |
| Berryman (R) | Doss | Kilgore | Smith (C) |
| Berryman (W) | Downing | Laxson | Smith (P) |
| Blanton | Drake | Lybrand | Snell |
| Bolton | Edington | Malone | Snodgrass |
| Bowers | Ellis | Marr | Springer |
| Brannan | Gafford | Mathews | Starnes |
| Brassell | Gloor | Mays | Steagall |
| Brown | Graham | McDonald | Stembridge |
| Burgess | Grayson | McElhaney | Stubbs |
| Burgreen | Hain | McLain | Thomas |
| Cameron | Harper | Meeks | Turnham |
| Cherner | Harris | Merrill | Waggoner |
| Collier | Haygood | Money | Watkins |
| Collins (W) | Hill | Owen (Baldwin) | Weeks |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Wright |
| Cook (Jefferson) | Hogan | Pearson | Yeilding |
| Crane | Holladay | | |

—82

Nays:

| | | | |
|----------|--------------|--------------|----------|
| Messrs.: | Headley | McCorquodale | Pruitt |
| Agee | Higginbotham | Meade | Tuck |
| Bassett | Jackson (F) | Melton | Williams |
| Fine | Lemley | Neville | Wood |
| Foshee | Manley | Owens (W) | Young |
| Hardin | | | |

—20

RESOLUTIONS

The following resolutions were introduced:

By Mr. Grayson:

H. J. R. 72. WHEREAS, One Stokely Carmichael has repeatedly made seditious and un-American statements, more recently at Miles College in Birmingham, Alabama; and

WHEREAS, Carmichael was reported to have said, quote: To hell with the laws of the United States. If a white man tries to walk over you, kill him. One match and you can retaliate. Burn, baby, burn. End quote, at Miles College on April 4, 1967; and

WHEREAS, Arthur G. Keeney of Mobile, Alabama, has filed a complaint with the Attorney General of the United States, charging him with sedition (violation of U. S. Code, Title 18, Sections Two Three Eight Three and Two Three Eight Five); and

WHEREAS, Mr. Keeney's action was forthright, American and took zeal and courage; and

WHEREAS, The Legislature of Alabama feels that the acts of Stokely Carmichael are seditious, un-American and calculated to overthrow the orderly government of the United States and the sovereign states; and

WHEREAS, Carmichael's statements, utterings and accusations are intended to incite riot, discord, and racial violence; and

WHEREAS, Americans of all races, colors and creeds deeply resent his actions;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That we commend Mr. Arthur Keeney for his forthright action;

BE IT FURTHER RESOLVED, That we do by these presents join with him and other citizens demanding that the Justice Department and other enforcement agencies bring prompt and effective action against Stokely Carmichael for sedition and treason.

BE IT FURTHER RESOLVED, That certified copies of this resolution be forwarded to the Honorable Ramsey Clark, Attorney General of the United States, Washington, D. C.; Senator Lister Hill; Senator John Sparkman; and to Mr. Arthur G. Keeney of Mobile, Alabama.

On motion of Mr. Grayson the rules were suspended and H. J. R. 72 was adopted.

Also:

By Messrs. Turnham, Higginbotham, Brassell, Ellis and Melton:

H. J. R. 73. WHEREAS The Auburn Plainsman for the second consecutive year has won the top coveted honor of being rated All-American by the Associated Collegiate Press; and

WHEREAS the ACP rating which provides valuable and comprehensive criticism and analysis of newspapers in various classifications according to enrollment, judged The Plainsman in that group of colleges and universities with enrollment above 4,000, thereby placing it against stiff competition with many larger and more heavily endowed institutions as well as with similar or smaller institutions; and

WHEREAS Mr. G. D. Herbert, ACP judge, particularly praised The Plainsman's news coverage and enterprise in finding extra news, with additional credit being given for initiative in creating good features on campus and student life; and

WHEREAS the editorial writers of The Plainsman were highly complimented for the effectiveness of their writing and the variety of their material; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman. We commend The Plainsman's editor, Mr. Jerry Brown, its manager, and all staff members and faculty advisors for their untiring efforts and skill in producing an excellent product in which we take great pride.

RESOLVED FURTHER That a copy of this resolution be sent to The Auburn Plainsman.

On motion of Mr. Turnham the rules were suspended and H. J. R. 73 was adopted.

Also:

By Mr. Ellis:

H. J. R. 74. BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that

WHEREAS, the Constitution of Alabama was last reviewed, rewritten and adopted in its entirety more than sixty-six years ago, and

WHEREAS, a total of 256 amendments to the Constitution of 1901 have been adopted, and the Constitution as a whole is in many respects not well adapted to modern conditions and problems, and urgently needs simplification and restatement, and

WHEREAS, the economic, political and social problems of the State make it imperative that a careful study be made of the Constitution, with a view to a general revision thereof, and

WHEREAS, the problem of the best method of undertaking a general revision of the Constitution is complex and difficult, and the provisions in the present Constitution for a Constitutional Convention for that purpose is believed by many to be obsolete and impractical, and modern experience in other states demonstrates that the appointment of a Commission to carry out the numerous and difficult studies necessary for that purpose is the most effective method of accomplishing a satisfactory result,

NOW, THEREFORE, the Speaker of the House and the President of the Senate are requested and directed to appoint a Committee of

three members from each body to prepare, after consultation with the Governor and other officials of the State, the President and other officers of the State Bar Association, representatives of the principal law schools in the State and such other persons as the Committee may determine, such legislation, including submission of one or more constitutional amendments, as may be required to accomplish most effectively a general revision of the Constitution of Alabama or of selected parts thereof, within a reasonable time.

The Committee shall submit its recommendations, together with drafts of proposed bills and amendments, to the Regular Session of the Legislature as soon as possible after it convenes, and in any event not later than 1 July 1967.

The members of the Committee shall receive the same pay and allowances for attendance at meetings as for attendance at meetings of regular committees of the Legislature, whether or not the Legislature is in special or regular session at the time of such meetings.

H. J. R. 74 was read and referred to the Standing Committee on Rules.

Yeas 33; Nays 40.

Yeas:

| | | | |
|--------------|------------------|-------------|-----------|
| Messrs.: | Cook (Jefferson) | Graham | Perloff |
| Adwell | Crane | Hardin | Sessions |
| Berryman (R) | Dill | Holman | Shumate |
| Bolton | Doss | House | Slate |
| Bowers | Downing | Jackson (F) | Smith (C) |
| Brannan | Edington | Jackson (T) | Springer |
| Brown | Ellis | Jones | Starnes |
| Cherner | Foshee | Kilgore | Waggoner |
| Collins (C) | Gafford | | |

—33

Nays:

| | | | |
|---------------|--------------|----------------|-----------|
| Mr. Speaker | Fine | Manley | Pruitt |
| Berryman (W) | Hain | Marr | Smith (P) |
| Blanton | Harris | Mathews | Steagall |
| Brassell | Haygood | McDonald | Stubbs |
| Burgess | Headley | Melton | Tuck |
| Burgreen | Higginbotham | Neville | Williams |
| Collier | Hill | Owen (Baldwin) | Wood |
| Collins (W) | Hobbie | Owens (W) | Wright |
| Cook (Coffee) | Holladay | Owens (W.E.) | Yeilding |
| Dobbs | Lemley | Pearson | Young |

—40

MOTIONS TO POSTPONE S. 23 AND PENDING AMENDMENTS LOST

The motion of Mr. Gloor that the bill, S. 23, and pending amendments be indefinitely postponed, was lost.

Yeas 20; Nays 67.

Yeas:

| | | | |
|----------|--------|----------------|--------------|
| Messrs.: | Ellis | Jackson (F) | Owens (W.E.) |
| Bassett | Gloor | Jackson (T) | Snell |
| Cameron | Hardin | Kilgore | Tuck |
| Cherner | Harper | Melton | Turnham |
| Crane | Harris | Owen (Baldwin) | Yeilding |
| Edington | | | |

—20

Nays:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Dobbs | Jones | Sessions |
| Adwell | Doss | Lemley | Shumate |
| Beck | Downing | Lybrand | Slate |
| Berryman (R) | Drake | Malone | Smith (C) |
| Berryman (W) | Fine | Marr | Smith (P) |
| Blanton | Gafford | Mathews | Springer |
| Bowers | Graham | Mays | Steagall |
| Brannan | Grayson | McCorquodale | Stembridge |
| Brassell | Hain | McElhaney | Stubbs |
| Brown | Haygood | McLain | Waggoner |
| Burgess | Higginbotham | Meade | Watkins |
| Burgreen | Hill | Merrill | Weeks |
| Collier | Hobbie | Neville | Williams |
| Collins (W) | Hogan | Pearson | Wood |
| Cook (Coffee) | Holladay | Pennington | Wright |
| Cook (Jefferson) | Holman | Perloff | Young |
| Crawford | House | Pruitt | |

—67

The motion of Mr. Dill that consideration of the bill, S. 23, and pending amendments be postponed until the twenty-fourth legislative day was lost.

BILLS ON THIRD READING RESUMED

S. 23 (with amendments). To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

This bill does not affect any state revenues.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on State Administration, said committee amendments being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT NO. 1 TO S. 23

Amend Section 9 of Senate Bill 23 by striking in its entirety the sentence in said Section 9 which reads as follows:

"It is provided, however, that the awarding authority may at any time within five (5) days after the bids are opened, negotiate and award the contract to another vendor, who participated in the bidding, provided he secures a price at least five per cent (5%) under the low acceptable bid on products meeting the quality and specifications of the original bid."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | House | Owens (W) |
| Adwell | Doss | Jackson (F) | Owens (W.E.) |
| Agee | Downing | Jackson (T) | Pennington |
| Bank | Drake | Jones | Perloff |
| Bassett | Edington | Kilgore | Pruitt |
| Beck | Ellis | Laxson | Sessions |
| Berryman (R) | Fine | Lemley | Shumate |
| Berryman (W) | Foshee | Lybrand | Slate |
| Blanton | Gafford | Malone | Smith (C) |
| Bolton | Garrett | Manley | Smith (P) |
| Bowers | Graham | Marr | Snodgrass |
| Brannan | Grayson | Mathews | Starnes |
| Brassell | Hain | Mays | Steagall |
| Brown | Hardin | McCorquodale | Stembridge |
| Burgess | Harris | McDonald | Stubbs |
| Burgreen | Haygood | McLain | Turnham |
| Cameron | Headley | Meade | Waggoner |
| Collier | Higginbotham | Meeks | Weeks |
| Collins (W) | Hill | Melton | Williams |
| Cook (Coffee) | Hobbie | Merrill | Wood |
| Cook (Jefferson) | Hogan | Money | Wright |
| Crane | Holladay | Neville | Yeilding |
| Crawford | Holman | Owen (Baldwin) | Young |
| Culver | | | |

—93

And

WAYS AND MEANS COMMITTEE AMENDMENT NO. 2 TO S. 23

Amend Senate Bill 23 by deleting in its entirety Section 14 and inserting in lieu thereof the following:

"Section 14. This act shall become effective October 1, 1967."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|--------------|-------------|----------------|
| Mr. Speaker | Crane | Holman | Owen (Baldwin) |
| Adwell | Crawford | House | Owens (W) |
| Agee | Culver | Jackson (F) | Owens (W.E.) |
| Bank | Dobbs | Jackson (T) | Pennington |
| Bassett | Doss | Jones | Perloff |
| Beck | Downing | Kilgore | Sessions |
| Berryman (R) | Drake | Laxson | Shumate |
| Berryman (W) | Edington | Lemley | Slate |
| Blanton | Ellis | Lybrand | Smith (C) |
| Bolton | Fine | Malone | Smith (P) |
| Bowers | Foshee | Manley | Snodgrass |
| Brannan | Graham | Marr | Steagall |
| Brassell | Grayson | Mathews | Stembridge |
| Brown | Hain | Mays | Stubbs |
| Burgess | Hardin | McDonald | Waggoner |
| Burgreen | Harris | McLain | Weeks |
| Cameron | Haygood | Meade | Williams |
| Cherner | Headley | Meeks | Wood |
| Collier | Higginbotham | Melton | Wright |
| Collins (W) | Hill | Merrill | Yeilding |
| Cook (Coffee) | Hobbie | Money | Young |
| Cook (Jefferson) | Hogan | Neville | |

—87

And

WAYS AND MEANS COMMITTEE AMENDMENT NO. 3 TO S. 23

Amend Section 2 of Senate Bill 23 by changing the period at the end of the first sentence of said section to a comma and adding the following:

"nor to purchases for public hospitals and nursing homes operated by the governing boards of instrumentalities of the state, counties and municipalities."

And the amendment was adopted.

Yeas 89; Nays 2.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Jackson (F) | Pearson |
| Adwell | Dobbs | Jackson (T) | Pennington |
| Agee | Doss | Jones | Perloff |
| Bank | Downing | Kilgore | Pruitt |
| Bassett | Drake | Laxson | Sessions |
| Beck | Edington | Lemley | Shumate |
| Berryman (R) | Ellis | Lybrand | Slate |
| Berryman (W) | Fine | Malone | Smith (C) |
| Blanton | Gafford | Manley | Smith (P) |
| Bolton | Graham | Marr | Snodgrass |
| Bowers | Grayson | Mathews | Springer |
| Brannan | Hain | Mays | Steagall |
| Brassell | Hardin | McDonald | Stembridge |
| Brown | Harris | McLain | Stubbs |
| Burgess | Haygood | Meade | Thomas |
| Burgreen | Higginbotham | Meeks | Waggoner |
| Cameron | Hill | Melton | Weeks |
| Collier | Hobbie | Merrill | Williams |
| Collins (W) | Hogan | Money | Wood |
| Cook (Coffee) | Holladay | Owen (Baldwin) | Wright |
| Cook (Jefferson) | Holman | Owens (W) | Yeilding |
| Crane | House | Owens (W.E.) | Young |
| Crawford | | | |

—89

Nays: Messrs. Cherner and Neville

—2

And

WAYS AND MEANS COMMITTEE AMENDMENT NO. 4 TO S. 23

Amend Section 4 of Senate Bill 23 by striking therefrom the last sentence in said section and inserting in lieu thereof the following:

"Whoever knowingly participates in a collusive agreement in violation of this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500.00) and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six (6) months."

And the amendment was adopted.

Yeas 93; Nays 1.

Yeas:

| | | | |
|-------------|---------|--------------|----------|
| Mr. Speaker | Bank | Berryman (R) | Bowers |
| Adwell | Bassett | Berryman (W) | Brannan |
| Agee | Beck | Blanton | Brassell |

| | | | |
|------------------|--------------|----------------|------------|
| Brown | Grayson | Manley | Pruitt |
| Burgess | Hain | Marr | Sessions |
| Burgreen | Hardin | Mathews | Shumate |
| Cameron | Harris | Mays | Slate |
| Cherner | Haygood | McCorquodale | Smith (C) |
| Collier | Higginbotham | McDonald | Smith (P) |
| Collins (W) | Hill | McElhaney | Snodgrass |
| Cook (Coffee) | Hobbie | McLain | Springer |
| Cook (Jefferson) | Hogan | Meade | Starnes |
| Crane | Holladay | Meeks | Steagall |
| Crawford | Holman | Melton | Stembridge |
| Culver | House | Merrill | Stubbs |
| Dobbs | Jackson (F) | Money | Waggoner |
| Doss | Jackson (T) | Neville | Watkins |
| Downing | Jones | Owen (Baldwin) | Weeks |
| Edington | Kilgore | Owens (W) | Williams |
| Ellis | Laxson | Owens (W.E.) | Wood |
| Fine | Lemley | Pearson | Wright |
| Gafford | Lybrand | Pennington | Yeilding |
| Garrett | Malone | Perloff | Young |
| Graham | | | |

—93

Nay: Mr. Bolton

—1

Mr. Dill offered the following amendment to the bill, S. 23, as amended:

Amend the title and Section 1 of Senate Bill 23 by adding the following words and figures at the end of said title and Section 1:

“Provided, however, that this act shall not apply in any county which has a population in excess of 300,000 according to the last or any subsequent federal census.”

On motion of Mr. Pennington the amendment offered by Mr. Dill to the bill, S. 23, as amended, was laid upon the table.

Yeas 83; Nays 10.

Yeas:

| | | | |
|---------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pearson |
| Adwell | Downing | Jones | Pennington |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Ellis | Laxson | Pruitt |
| Beck | Fine | Lemley | Shumate |
| Berryman (R) | Foshee | Lybrand | Slate |
| Berryman (W) | Gafford | Malone | Smith (C) |
| Blanton | Garrett | Marr | Smith (P) |
| Bolton | Graham | Mathews | Snodgrass |
| Bowers | Grayson | Mays | Starnes |
| Brassell | Hain | McCorquodale | Steagall |
| Brown | Hardin | McDonald | Stembridge |
| Burgess | Haygood | McElhaney | Stubbs |
| Burgreen | Headley | McLain | Tuck |
| Cameron | Higginbotham | Meade | Waggoner |
| Collier | Hill | Merrill | Weeks |
| Collins (W) | Hobbie | Money | Williams |
| Cook (Coffee) | Hogan | Neville | Wood |
| Crawford | Holladay | Owen (Baldwin) | Wright |
| Culver | Holman | Owens (W) | Young |
| Dobbs | House | Owens (W.E.) | |

—83

Nays:

| | | | | |
|----------|----------|-------------|----------|-----|
| Messrs.: | Dill | Jackson (T) | Sessions | |
| Brannan | Edington | Meeks | Yeilding | |
| Crane | Harris | Melton | | —10 |

Mr. Money offered the following amendment to the bill, S. 23, as amended:

In Section 1 after the last sentence add the following: "However, in the purchase of new and repair parts for machinery and equipment, bids will not be taken on purchases amounting to less than \$2,000.

On motion of Mr. Pennington, the amendment offered by Mr. Money to the bill, S. 23, as amended, was laid upon the table.

Yeas 53; Nays 37.

Yeas:

| | | | | |
|---------------|--------------|--------------|------------|-----|
| Messrs.: | Ellis | Laxson | Sessions | |
| Adwell | Gafford | Lemley | Slate | |
| Berryman (W) | Graham | Lybrand | Smith (C) | |
| Bowers | Grayson | Malone | Smith (P) | |
| Brassell | Hain | Marr | Steagall | |
| Burgess | Haygood | Mathews | Stembridge | |
| Collier | Headley | McDonald | Stubbs | |
| Collins (W) | Higginbotham | Meeks | Waggoner | |
| Cook (Coffee) | Hill | Merrill | Watkins | |
| Crawford | Holladay | Neville | Wood | |
| Culver | Holman | Owens (W.E.) | Wright | |
| Doss | House | Pennington | Yeilding | |
| Downing | Jones | Perloff | Young | |
| Edington | Kilgore | | | —53 |

Nays:

| | | | | |
|-------------|-------------|----------------|-----------|-----|
| Mr. Speaker | Drake | Manley | Pearson | |
| Agee | Fine | Mays | Pruitt | |
| Bassett | Foshee | McCorquodale | Snell | |
| Beck | Hardin | McElhanev | Snodgrass | |
| Bolton | Harris | Meade | Springer | |
| Brannan | Hobbie | Melton | Tuck | |
| Burgreen | Hogan | Money | Turnham | |
| Cameron | Jackson (F) | Owen (Baldwin) | Weeks | |
| Cherner | Jackson (T) | Owens (W) | Williams | |
| Dill | | | | —37 |

MOTION TO ADJOURN LOST

The motion of Mr. Collins (C) that the House adjourn until Friday, April 14, 1967, at twelve o'clock, noon, was lost.

Yeas 30; Nays 68.

Yeas:

| | | | | |
|-------------|-------------|--------------|------------|-----|
| Messrs.: | Edington | Kilgore | Snell | |
| Bassett | Ellis | Mays | Stembridge | |
| Bolton | Hardin | Meeks | Tuck | |
| Cherner | Harris | Melton | Turnham | |
| Collins (C) | Haygood | Owens (W) | Weeks | |
| Crane | Holladay | Owens (W.E.) | Wood | |
| Crawford | Holman | Pearson | Young | |
| Dill | Jackson (T) | Sessions | | —30 |

Nays:

| | | | |
|---------------|------------------|--------------|------------|
| Mr. Speaker | Cook (Jefferson) | House | Pennington |
| Adwell | Culver | Jackson (F) | Perloff |
| Agee | Dobbs | Jones | Pruitt |
| Bank | Doss | Laxson | Shumate |
| Beck | Downing | Lemley | Slate |
| Berryman (R) | Drake | Lybrand | Smith (C) |
| Berryman (W) | Fine | Malone | Smith (P) |
| Blanton | Foshee | Manley | Snodgrass |
| Bowers | Gafford | Marr | Springer |
| Brannan | Graham | Mathews | Starnes |
| Brassell | Grayson | McCorquodale | Steagall |
| Brown | Hain | McDonald | Stubbs |
| Burgess | Headley | McElhaney | Waggoner |
| Burgreen | Higginbotham | McLain | Watkins |
| Cameron | Hill | Meade | Williams |
| Collins (W) | Hobbie | Merrill | Wright |
| Cook (Coffee) | Hogan | Neville | Yeilding |

—68

MOTION TO SUSPEND RULES LOST

The motion of Mr. Brown to suspend the rules in order to change his vote on the passage of the bill, H. 219, as amended, from "yea" to "nay" and so have the Journal show was lost.

UNANIMOUS CONSENT GRANTED

Mr. McDonald requested unanimous consent to have the Journal show that he was temporarily out of the House when the bill, H. 221, as amended, was up for passage. He requested that the Journal show that had he been present he would have voted "yea".

BILLS ON THIRD READING RESUMED**FURTHER CONSIDERATION OF S. 23, AS AMENDED**

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

This bill does not affect any state revenues.

As amended, was again taken up.

Mr. Springer offered the following amendment to the bill, S. 23, as amended:

In Section 1 strike out that portion of the first sentence which reads as follows: "and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions."

On motion of Mr. Pennington, the amendment offered by Mr. Springer to the bill, S. 23, as amended, was laid upon the table.

Yeas 59; Nays 28.

Yeas:

| | | | |
|------------------|----------|--------------|------------|
| Messrs.: | Culver | Holman | Sessions |
| Adwell | Dobbs | House | Slate |
| Beck | Doss | Jackson (T) | Smith (C) |
| Berryman (R) | Downing | Jones | Smith (P) |
| Berryman (W) | Drake | Lybrand | Snodgrass |
| Blanton | Edington | Malone | Steagall |
| Bowers | Ellis | Marr | Stembridge |
| Brassell | Fine | Mathews | Stubbs |
| Burgess | Gafford | McElhaney | Waggoner |
| Collier | Grayson | McLain | Watkins |
| Collins (C) | Hain | Meade | Weeks |
| Collins (W) | Haygood | Merrill | Wood |
| Cook (Coffee) | Hill | Owens (W.E.) | Wright |
| Cook (Jefferson) | Hogan | Pennington | Yeilding |
| Crawford | Holladay | Perloff | Young |

—59

Nays:

| | | | |
|-------------|-------------|----------------|-----------|
| Mr. Speaker | Foshee | Lemley | Owens (W) |
| Bassett | Graham | Manley | Pearson |
| Brannan | Hardin | Mays | Snell |
| Burgreen | Harris | McDonald | Springer |
| Cameron | Hobbie | Melton | Starnes |
| Crane | Jackson (F) | Neville | Tuck |
| Dill | Laxson | Owen (Baldwin) | Turnham |

—28

Mr. Turnham offered the following amendment to the bill, S. 23, as amended:

Section 7. In case of an emergency affecting a public education institution, public health, public welfare, safety, or convenience, so declared in writing by the awarding authority, setting forth the nature of the emergency in reference to a public education institution, public health, public welfare, safety, or convenience, involved in delay, contracts may be let to the extent necessary to meet the emergency without public advertisement and taking of bids. The awarding authority shall make known immediately by public announcement the actions taken and the reasons therefor.

On motion of Mr. Pennington, the amendment offered by Mr. Turnham to the bill, S. 23, as amended, was laid upon the table.

Yeas 47; Nays 41.

Yeas:

| | | | |
|------------------|----------|--------------|-----------|
| Messrs.: | Doss | House | Sessions |
| Adwell | Downing | Jones | Shumate |
| Agee | Edington | Lybrand | Slate |
| Beck | Gafford | Marr | Smith (C) |
| Berryman (R) | Graham | Mathews | Smith (P) |
| Bowers | Grayson | McCorquodale | Snodgrass |
| Brassell | Hain | McLain | Steagall |
| Burgess | Haygood | Meade | Stubbs |
| Collins (W) | Headley | Merrill | Waggoner |
| Cook (Coffee) | Hill | Neville | Watkins |
| Cook (Jefferson) | Hogan | Pennington | Weeks |
| Dobbs | Holman | Perloff | Wood |

—47

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Jackson (F) | Snell |
| Bassett | Ellis | Jackson (T) | Springer |
| Berryman (W) | Fine | Kilgore | Starnes |
| Blanton | Foshee | Lemley | Stembridge |
| Brannan | Hardin | Mays | Thomas |
| Burgreen | Harper | McElhaney | Tuck |
| Cameron | Harris | Melton | Turnham |
| Cherner | Higginbotham | Owen (Baldwin) | Williams |
| Crane | Hobbie | Pearson | Yeilding |
| Crawford | Holladay | Pruitt | Young |
| Culver | | | |

—41

Mr. Turnham offered the following amendment to the bill, S. 23, as amended:

At the end of Section 2 add the following: "Any agency of government that is included in this bill shall be audited by the state department of Examiners of Accounts annually."

On motion of Mr. Pennington, the amendment offered by Mr. Turnham to the bill, S. 23, as amended, was laid upon the table.

Yeas 63; Nays 19.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Doss | Jones | Sessions |
| Adwell | Downing | Laxson | Slate |
| Berryman (R) | Drake | Lemley | Smith (C) |
| Berryman (W) | Fine | Lybrand | Smith (P) |
| Blanton | Gafford | Manley | Snodgrass |
| Bowers | Graham | Marr | Springer |
| Brassell | Grayson | Mathews | Steagall |
| Burgess | Hain | McDonald | Stembridge |
| Burgreen | Haygood | McElhaney | Waggoner |
| Collier | Headley | McLain | Watkins |
| Collins (W) | Higginbotham | Merrill | Weeks |
| Cook (Coffee) | Hill | Owens (W.E.) | Williams |
| Cook (Jefferson) | Hogan | Pearson | Wood |
| Crawford | Holladay | Pennington | Wright |
| Culver | Holman | Perloff | Young |
| Dobbs | House | Pruitt | |

—63

Nays:

| | | | |
|----------|-------------|-------------|----------------|
| Messrs.: | Gloor | Jackson (T) | Neville |
| Bassett | Hardin | Kilgore | Owen (Baldwin) |
| Beck | Harris | Mays | Snell |
| Cameron | Hobbie | Melton | Tuck |
| Ellis | Jackson (F) | Money | Turnham |

—19

Mr. Starnes offered the following amendment to the bill, S. 23, as amended:

In Section 2, insert after the first sentence the following: Competitive bids shall not be required for purchases or contracts made by gas districts, gas boards, waterworks boards, or sewer boards, and other like utility boards and commissions whose operations are financed wholly from their own revenues and not by taxes.

On motion of Mr. Pennington, the amendment offered by Mr. Starnes to the bill, S. 23, as amended, was laid upon the table.

Yeas 50; Nays 39.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Crawford | Jackson (T) | Smith (C) |
| Adwell | Downing | Jones | Smith (P) |
| Agee | Drake | Lemley | Snodgrass |
| Berryman (R) | Edington | Lybrand | Steagall |
| Blanton | Foshee | Marr | Stembridge |
| Bowers | Gafford | Mathews | Stubbs |
| Brassell | Grayson | McCorquodale | Waggoner |
| Brown | Hain | McLain | Watkins |
| Burgess | Headley | Meade | Weeks |
| Collier | Higginbotham | Merrill | Wood |
| Collins (W) | Hill | Neville | Wright |
| Cook (Coffee) | Hogan | Pennington | Young |
| Cook (Jefferson) | House | Perloff | |

—50

Nays:

| | | | |
|--------------|-------------|----------------|----------|
| Mr. Speaker | Fine | Mays | Slate |
| Bassett | Graham | McDonald | Snell |
| Beck | Hardin | McElhaney | Springer |
| Berryman (W) | Harris | Melton | Starnes |
| Brannan | Haygood | Money | Thomas |
| Burgreen | Hobbie | Owen (Baldwin) | Tuck |
| Cameron | Holladay | Owens (W) | Turnham |
| Dobbs | Holman | Owens (W.E.) | Williams |
| Doss | Jackson (F) | Pearson | Yeilding |
| Ellis | Kilgore | Sessions | |

—39

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until Wednesday, April 12, 1967, at ten o'clock A. M. was lost.

Yeas 26; Nays 68.

Yeas:

| | | | |
|----------|-------------|--------------|------------|
| Messrs.: | Gloor | Mays | Stembridge |
| Agee | Graham | McCorquodale | Thomas |
| Bank | Hardin | Melton | Tuck |
| Bassett | Harris | Owens (W.E.) | Turnham |
| Brown | Jackson (T) | Pruitt | Weeks |
| Cherner | Kilgore | Snell | Young |
| Culver | Manley | Springer | |

—26

Nays:

| | | | |
|--------------|------------------|--------------|----------------|
| Mr. Speaker | Cook (Coffee) | Hain | Malone |
| Adwell | Cook (Jefferson) | Haygood | Marr |
| Beck | Crane | Headley | Mathews |
| Berryman (R) | Crawford | Higginbotham | McDonald |
| Berryman (W) | Dobbs | Hill | McElhaney |
| Blanton | Doss | Hobbie | McLain |
| Bowers | Downing | Hogan | Meade |
| Brannan | Drake | Holman | Meeks |
| Brassell | Edington | House | Merrill |
| Burgess | Fine | Jackson (F) | Neville |
| Burgreen | Foshee | Jones | Owen (Baldwin) |
| Collier | Gafford | Lemley | Owens (W) |
| Collins (W) | Grayson | Lybrand | Pearson |

| | | | |
|------------|-----------|----------|----------|
| Pennington | Slate | Steagall | Williams |
| Perloff | Smith (C) | Stubbs | Wood |
| Sessions | Smith (P) | Waggoner | Wright |
| Shumate | Snodgrass | Watkins | Yeilding |

—68

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. 23, AS AMENDED

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

This bill does not affect any state revenues.

As amended, was again taken up.

Mr. Dill offered the following amendment to the bill, S. 23, as amended:

Amend the title and Section 1 of Senate Bill 23 by adding the following words and figures at the end of said title and Section 1:

"Provided, however, that this act shall not apply in any county which has a population in excess of 600,000 according to the last or any subsequent federal census."

On motion of Mr. Pennington, the amendment offered by Mr. Dill to the bill, S. 23, as amended, was laid upon the table.

Yeas 75; Nays 16.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Crane | Hobbie | Owens (W.E.) |
| Adwell | Crawford | Hogan | Pearson |
| Bank | Culver | Holladay | Pennington |
| Bassett | Dobbs | Holman | Pruitt |
| Beck | Doss | House | Slate |
| Berryman (R) | Downing | Jackson (F) | Smith (C) |
| Berryman (W) | Drake | Jones | Smith (P) |
| Blanton | Edington | Laxson | Snodgrass |
| Bowers | Ellis | Lemley | Starnes |
| Brannan | Fine | Lybrand | Steagall |
| Brassell | Foshee | Marr | Stembridge |
| Brown | Gafford | Mathews | Stubbs |
| Burgess | Graham | Mays | Tuck |
| Burgreen | Grayson | McDonald | Waggoner |
| Cameron | Hain | McElhaney | Williams |
| Collier | Hardin | McLain | Wood |
| Collins (W) | Harper | Meade | Wright |
| Cook (Coffee) | Higginbotham | Merrill | Young |
| Cook (Jefferson) | Hill | Owen (Baldwin) | |

—75

Nays:

| | | | |
|----------|-------------|----------|----------|
| Messrs.: | Haygood | Melton | Springer |
| Agee | Jackson (T) | Money | Turnham |
| Dill | Kilgore | Sessions | Weeks |
| Gloor | Meeks | Snell | Yeilding |
| Harris | | | |

—16

Mr. Shumate offered the following amendment to the bill, S. 23, as amended:

Add at the end of Section 1 the following: In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, provided the negotiated price is lower than the bid price.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jones | Pennington |
| Adwell | Downing | Kilgore | Perloff |
| Agee | Drake | Laxson | Pruitt |
| Bassett | Edington | Lemley | Sessions |
| Beck | Ellis | Lybrand | Shumate |
| Berryman (R) | Fine | Malone | Smith (C) |
| Berryman (W) | Foshee | Manley | Smith (P) |
| Blanton | Gafford | Marr | Snell |
| Bowers | Gloor | Mathews | Snodgrass |
| Brannan | Graham | Mays | Springer |
| Brassell | Hain | McCorquodale | Steagall |
| Brown | Hardin | McDonald | Stembridge |
| Burgess | Harper | McElhaney | Stubbs |
| Burgreen | Harris | McLain | Tuck |
| Cameron | Haygood | Meade | Turnham |
| Collier | Higginbotham | Meeks | Waggoner |
| Collins (W) | Hill | Melton | Weeks |
| Cook (Coffee) | Hobbie | Merrill | Williams |
| Cook (Jefferson) | Hogan | Money | Wood |
| Crane | Holman | Owen (Baldwin) | Wright |
| Crawford | House | Owens (W.E.) | Yeilding |
| Dill | Jackson (F) | Pearson | Young |
| Dobbs | Jackson (T) | | |

—90

Mr. Meeks offered the following amendment to the bill, S. 23, as amended:

Amend Section 2 of S. B. 23 by inserting after the word "pamphlets" the following:

"the selection of paying agents and trustees for any security issued by a public body,"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|-------------|
| Mr. Speaker | Beck | Bowers | Burgreen |
| Adwell | Berryman (R) | Brannan | Cameron |
| Agee | Berryman (W) | Brassell | Collier |
| Bassett | Blanton | Burgess | Collins (W) |

| | | | |
|------------------|--------------|--------------|------------|
| Cook (Coffee) | Hardin | Marr | Slate |
| Cook (Jefferson) | Harris | Mathews | Smith (C) |
| Crane | Haygood | McCorquodale | Smith (P) |
| Crawford | Higginbotham | McDonald | Snell |
| Dill | Hill | McElhaney | Springer |
| Dobbs | Hobbie | McLain | Steagall |
| Doss | Hogan | Meade | Stembridge |
| Downing | Holman | Meeks | Stubbs |
| Drake | House | Melton | Turnham |
| Edington | Jackson (F) | Merrill | Waggoner |
| Ellis | Jackson (T) | Money | Watkins |
| Fine | Jones | Neville | Weeks |
| Foshee | Kilgore | Owens (W.E.) | Williams |
| Gafford | Laxson | Pearson | Wood |
| Gloor | Lemley | Pennington | Wright |
| Graham | Lybrand | Perloff | Yeilding |
| Grayson | Malone | Pruitt | Young |
| Hain | Manley | Sessions | |

—87

And said bill, S. 23, as amended, was read a third time at length and passed.

Yeas 85; Nays 10.

Yeas:

| | | | |
|------------------|--------------|--------------|------------|
| Mr. Speaker | Downing | Kilgore | Pennington |
| Adwell | Drake | Laxson | Perloff |
| Agee | Edington | Lemley | Pruitt |
| Beck | Ellis | Lybrand | Sessions |
| Berryman (R) | Fine | Malone | Slate |
| Berryman (W) | Foshee | Manley | Smith (C) |
| Blanton | Gafford | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snodgrass |
| Brannan | Grayson | McCorquodale | Springer |
| Brassell | Hain | McDonald | Starnes |
| Brown | Haygood | McElhaney | Steagall |
| Burgess | Higginbotham | McLain | Stembridge |
| Burgreen | Hill | Meade | Stubbs |
| Cameron | Hobbie | Meeks | Thomas |
| Collier | Hogan | Melton | Waggoner |
| Collins (W) | Holladay | Merrill | Watkins |
| Cook (Coffee) | Holman | Money | Weeks |
| Cook (Jefferson) | House | Neville | Williams |
| Crane | Jackson (F) | Owens (W) | Wood |
| Crawford | Jackson (T) | Owens (W.E.) | Wright |
| Culver | Jones | Pearson | Young |
| Doss | | | |

—85

Nays:

| | | | |
|----------|--------|-------|----------|
| Messrs.: | Gloor | Mays | Turnham |
| Bassett | Hardin | Snell | Yeilding |
| Dill | Harris | Tuck | |

—10

ADJOURNMENT

On motion of Mr. Watkins the House adjourned until Friday, April 14, 1967, at ten o'clock A. M.

Yeas 69; Nays 24.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Messrs.: | Downing | Jones | Pennington |
| Adwell | Drake | Kilgore | Perloff |
| Agee | Edington | Lemley | Sessions |
| Bassett | Ellis | Lybrand | Shumate |
| Beck | Fine | Malone | Slate |
| Berryman (W) | Gafford | Marr | Smith (C) |
| Blanton | Gloor | Mathews | Snell |
| Bowers | Graham | Mays | Springer |
| Brannan | Hain | McCorquodale | Steagall |
| Brassell | Hardin | McElhanev | Stubbs |
| Brown | Harper | McLain | Waggoner |
| Burgess | Harris | Meade | Watkins |
| Cherner | Haygood | Meeks | Weeks |
| Collier | Hogan | Melton | Wood |
| Cook (Jefferson) | Holladay | Money | Wright |
| Crane | Holman | Owen (Baldwin) | Yeilding |
| Culver | House | Pearson | Young |
| Doss | Jackson (T) | | |

—69

Nays:

| | | | |
|---------------|--------------|--------------|------------|
| Mr. Speaker | Crawford | Jackson (F) | Pruitt |
| Berryman (R) | Dill | McDonald | Smith (P) |
| Burgreen | Foshee | Merrill | Stembridge |
| Cameron | Higginbotham | Neville | Tuck |
| Collins (W) | Hill | Owens (W) | Turnham |
| Cook (Coffee) | Hobbie | Owens (W.E.) | Williams |

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TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, April 14, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend D. L. Ireland, Pastor, First Baptist Church, Ft. Payne, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|--------------|-------------|------------------|----------|
| Mr. Speaker | Bowers | Collins (W) | Drake |
| Adwell | Brannan | Cook (Coffee) | Edington |
| Agee | Brassell | Cook (Jefferson) | Ellis |
| Bank | Brown | Crane | Fine |
| Bassett | Burgess | Crawford | Foshee |
| Beck | Burgreen | Culver | Gafford |
| Berryman (R) | Cameron | Dill | Garrett |
| Berryman (W) | Cherner | Dobbs | Gloor |
| Blanton | Collier | Doss | Graham |
| Bolton | Collins (C) | Downing | Grayson |

| | | | |
|--------------|--------------|----------------|------------|
| Hain | Laxson | Neville | Springer |
| Hardin | Lemley | Owen (Baldwin) | Starnes |
| Harper | Lybrand | Owens (W) | Steagall |
| Harris | Malone | Owens (W.E.) | Stembridge |
| Haygood | Manley | Paulk | Stubbs |
| Headley | Marr | Pearson | Thomas |
| Higginbotham | Mathews | Pennington | Tuck |
| Hill | Mays | Perloff | Turnham |
| Hobbie | McCorquodale | Pruitt | Waggoner |
| Hogan | McDonald | Sessions | Watkins |
| Holladay | McElhaney | Shumate | Weeks |
| Holman | McLain | Slate | Williams |
| House | Meade | Smith (C) | Wood |
| Jackson (F) | Meeks | Smith (P) | Wright |
| Jackson (T) | Melton | Snell | Yeilding |
| Jones | Merrill | Snodgrass | Young |
| Kilgore | Money | | |

—106

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twentieth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

MOTION IN WRITING

Mr. Stubbs offered the following Motion in Writing:

MOTION IN WRITING

BY: Stubbs

Mr. Speaker:

Having voted with the prevailing side on the passage of H. B. 219, I move that the vote by which said bill was passed be reconsidered and that the bill be carried over for one legislative day without losing its place on the Calendar.

And the Motion in Writing offered by Mr. Stubbs was lost.

Yeas 37; Nays 51.

Yeas:

| | | | |
|--------------|-------------|--------------|------------|
| Mr. Speaker | Foshee | Marr | Shumate |
| Agee | Garrett | Mays | Slate |
| Bassett | Graham | McCorquodale | Snell |
| Berryman (R) | Hain | Meade | Steagall |
| Berryman (W) | Hardin | Melton | Stembridge |
| Collier | Headley | Neville | Stubbs |
| Crawford | Jackson (F) | Paulk | Williams |
| Dill | Lemley | Pearson | Wood |
| Doss | Manley | Pruitt | Young |
| Fine | | | |

—37

Nays:

| | | | |
|------------------|-------------|----------------|-----------|
| Messrs.: | Culver | Laxson | Perloff |
| Adwell | Dobbs | Lybrand | Sessions |
| Bank | Downing | Malone | Smith (C) |
| Beck | Edington | Mathews | Smith (P) |
| Bowers | Ellis | McDonald | Snodgrass |
| Burgess | Gafford | McElhaney | Springer |
| Burgreen | Gloor | McLain | Starnes |
| Cameron | Harris | Meeks | Thomas |
| Cherner | Hobbie | Merrill | Waggoner |
| Collins (C) | Holman | Money | Watkins |
| Collins (W) | House | Owen (Baldwin) | Weeks |
| Cook (Jefferson) | Jackson (T) | Owens (W.E.) | Wright |
| Crane | Jones | Pennington | Yeilding |

—51

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Beck and Meade:

H. 229. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Headley (with notice and proof):

H. 230. To provide for closing county offices in Chilton County on Saturdays.

Local Legislation No. 1.

Notice and Proof H. 230:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for closing county offices in Chilton County on Saturdays.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue and control or other like county governing body of Chilton County may, by resolution, authorize the offices of the officials of Chilton County located in the county courthouse and other county buildings to be closed all day on Saturday of each week. If such resolution is adopted, notice thereof shall be posted at the courthouse door and shall be published otherwise in such manner as the county governing body may direct.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner & Editor of the CHILTON COUNTY NEWS, a newspaper of general circulation published in CHILTON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 16th March 67, 23rd of March 67, 30th Of March 67, and 7th of April, all in the year 1967.

BOB TUCKER.

Sworn to and subscribed before me 4-11, 1967.

PLUMA B. MUNCY,
Notary Public.

By Messrs. Perloff, Hobbie, Smith (C), Marr, Collins (W), Harris, Melton, Cameron, McElhaney and Meade:

H. 231. To exempt ambulance service contracts from regulation as insurance.

Local Government.

By Messrs. Culver, Brown, Bank and Thomas (with notice and proof):

H. 232. Relating to Tuscaloosa County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the game and fish fund.

Local Legislation No. 1.

Notice and Proof H. 232:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the game and fish fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle, ammunition or other hunting equipment which has been or is used for illegal nighttime deer hunting in Tuscaloosa County shall be contraband, and, in the discretion of the circuit court of such county, may be forfeited to the State of Alabama, as hereinafter provided.

Section 2. The sheriff, any conservation officer, or any other person authorized to enforce the game and fish laws of this state who apprehends any person hunting deer in Tuscaloosa County in the nighttime, or who finds any vehicle which is being or has been used in such illegal nighttime hunting shall seize such vehicle and any gun, rifle, ammunition or other deer hunting equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the district attorney or other prosecuting official in the county. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances surrounding the seizing of the property.

Section 3. The district attorney or other prosecuting officer of the county upon receiving such report shall at once institute, or cause to be instituted, condemnation proceedings in the circuit court of Tuscaloosa County in equity, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and other vehicles used in the illegal transportation of alcoholic bever-

ages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and hunting equipment under this Act shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture, and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249, shall apply to and govern all such proceedings.

Section 4. In order to condemn and confiscate any of the property set out in Section 1, it shall not be necessary for the district attorney or other prosecuting authority to prove possession of deer killed in the county while hunting in the nighttime or that the hunter be apprehended in the actual act of killing deer; but it shall be sufficient to prove possession upon the person or in the motor vehicle of a gun, rifle, ammunition and other equipment at such time and place and under such circumstances as would support a conviction for illegally hunting deer in the nighttime.

Section 5. The proceeds of the sale of any property condemned and forfeited to the state under authority of this Act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state game and fish fund.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29, and April 5, all in the year 1967.

BUFORD BOONE.

Sworn to and subscribed before me April 7, 1967.

LILLA COLLINS,
Notary Public.

By Messrs. Thomas, Bank and Culver (with notice and proof):

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Local Legislation No. 1.

Notice and Proof H. 233:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56, H. B. 285, Regular Session 1953, an act levying additional privilege or license taxes in Tuscaloosa County (Acts 1953, p. 76), is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital board' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and

phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meanings respectively given them in the state use tax statutes."

Section 2. Section 3 of said Act No. 56 of 1953, as amended, is amended further to read as follows:

"Section 3. Levy of Sales Tax. There is hereby levied in the county, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm, or corporation (including the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to two per cent (2%) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business.

"(b) Upon every person, firm, or corporation engaged, or continuing within the county, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football, basketball, and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association or a state, county, or city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the county, an amount equal to two per cent (2%) of the gross receipts of any such business.

"(c) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of said automotive vehicle or truck trailer or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"(d) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of

tangible personal property an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of such machines; provided, that the term 'machines,' as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"Each exemption provided for in the state sales tax statutes, and as they may from time to time hereafter be amended, shall during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state sales tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. In addition thereto, and except as expressly enumerated hereinabove, there are hereby exempted from the tax levied in this section the gross receipts or gross proceeds of any business engaged in by any city or town in Tuscaloosa County. In the absence of any express provision herein to the contrary, all provisions and procedures with respect to the application for and issuance of licenses, the making of returns or reports, the contents of returns or reports, collection and payment of taxes, keeping of records, reporting and paying taxes with respect to sales on credit, determination of the amount of the tax due, penalties, assessments, notices, and examinations of taxpayers and their books provided for in the state sales tax statutes with respect to the tax levied in those statutes shall be applicable to the tax levied in this section, excepting however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided however that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state sales tax statutes shall be deemed to apply, with respect to the tax levied in this section, to the tax board. Every person, firm, or corporation engaged in any business upon which the tax levied in this section is imposed shall add the tax herein levied to the sales and admission price with respect to which the said tax is levied and shall collect the same from the purchases.

"(e) The sale of school lunches sold by all public and private schools in Tuscaloosa County, Alabama, is hereby expressly exempted.

"(f) Any person who is obligated to furnish materials under a written construction contract entered into before the effective date of this amendatory act shall be entitled to a refund of fifty per cent (50%) of any tax paid after the effective date of the act on account of materials purchased and furnished in accordance with the contract, provided his claim therefor, supported by vouchers, invoices, and receipts showing payment of the tax, is filed with the authority collecting the tax on or before the thirtieth day of the month next succeeding the quarterly period in which the tax was paid."

Section 3. Section 4 of said Act No. 56 of 1953 is hereby amended to read as follows:

"Section 4. Levy of Use Tax.

"(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of two per cent (2%) of the sale price of such property, regardless of whether the retailer who made the sale is or is not engaged in business in the county, except as provided in subsections (b) and (c) of this section.

“(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

“(c) An excise tax is hereby imposed on the storage, use or other consumption within the county of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of any such machine; provided, that the term ‘machine,’ as herein used, shall include machinery which is used for mining, quarrying, compounding, or processing, or manufacturing tangible personal property, and parts of such machines, attachments, and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

“Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the purchaser from further liability for a tax under this section with respect to the use, storage, or consumption of such property. Each exemption provided for in the state use tax statutes as amended by Act. No. 99 of the 1959 Special Session of the Legislature of Alabama, approved August 18, 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of tax payers and their books provided in the state use tax statutes, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board.”

Section 4. Section 11 of said Act. No. 56 of 1953 is hereby amended to read as follows:

“Section 11. Disposition of Revenues. Any and all expenses, including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds. After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent (32½%) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5%) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent (12½%) of said proceeds remaining shall be paid to Tuscaloosa County for general county purposes;

"(d) Ten per cent (10%) of said proceeds remaining shall be paid to the hospital board, which shall use said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital board for hospital services furnished to charity patients who are residents of the county, including any municipality therein;

"(e) Twenty per cent (20%) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

"(f) Twenty per cent (20%) of said proceeds remaining shall be paid to the city, which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such building and acquiring sites therefor.

"The proceeds for which distribution is provided in sub-sections (a), (b), (c), (d), (e), and (f) of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such time as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further, that the said revolving or contingent fund shall not at any time exceed ten per cent (10%) of the collections made under this act during the then preceding calendar month."

Section 5. This act shall become effective on the first day of the first calendar month next following the date of its enactment.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the GRAPHIC, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1967.

MRS. BETTY PEARY.

Sworn to and subscribed before me April 13, 1967.

KARL ELEBASH,
Publisher.

By Messrs. Shumate and Dobbs:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Lybrand, Burgess and Merrill:

H. R. 75. WHEREAS, the Town of Oxford has set aside April 21, 1967, as "Ray Vinson Day", and

WHEREAS, Ray Vinson excelled for four years as Jacksonville State University's outstanding athlete, and

WHEREAS, Ray Vinson is Calhoun County's and Oxford's first All-American College football player,

BE IT THEREFORE RESOLVED that the House of Representatives of the State of Alabama join with the Town of Oxford and Calhoun County in honoring Ray Vinson for the recognition he has brought to our State, and extend to him our best wishes as he embarks upon his professional football career.

On motion of Mr. Lybrand the rules were suspended and H. R. 75 was adopted.

Also:

By Messrs. McCorquodale and Pruitt:

H. R. 76. Requesting advisory opinions of the Justices of the Supreme Court of Alabama in re Article 5, Section 122 and Article 4, Section 76 of the Constitution of Alabama.

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, be, and

they hereby are respectfully requested to give this House their written opinions concerning the following important constitutional questions which have arisen in connection with pending legislation:

Can the Governor constitutionally amend the call for an extraordinary session issued under Article 5, Section 122 of the Constitution by adding a new and additional subject of legislation in a special message delivered to the two houses several days after the special session has been convened? Would such legislation so added require a vote of two-thirds of each house for passage under Article 4, Section 76 of the Constitution?

RESOLVED FURTHER, That the Clerk of the House shall deliver forthwith four copies of this Resolution to the Clerk of the Supreme Court.

On motion of Mr. McCorquodale the rules were suspended and H. R. 76 was adopted.

Also:

By Mr. Ellis:

H. J. R. 77. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That

WHEREAS, the Constitution of Alabama was last reviewed, rewritten and adopted in its entirety more than sixty-six years ago, and

WHEREAS, a total of 256 amendments to the Constitution of 1901 have been adopted, and the Constitution as a whole is in many respects not well adapted to modern conditions and problems, and urgently needs simplification and restatement, and

WHEREAS, the economic, political and social problems of the State make it imperative that a careful study be made of the Constitution, with a view to a general revision thereof, and

WHEREAS, the problem of the best method of undertaking a general revision of the Constitution is complex and difficult, and the provisions in the present Constitution for a Constitutional Convention for that purpose is believed by many to be obsolete and impractical, and modern experience in other states demonstrates that the appointment of a Commission to carry out the numerous and difficult studies necessary for that purpose is the most effective method of accomplishing a satisfactory result.

NOW, THEREFORE, the Speaker of the House and the President of the Senate are requested and directed to appoint a Committee of three members from each body to prepare, after consultation with the Governor and other officials of the State, the President and other officers of the State Bar Association, representatives of the principal law schools in the State and such other persons as the Committee may determine, such legislation, including submission of one or more constitutional amendments, as may be required to accomplish most effectively a general revision of the Constitution of Alabama or of selected parts thereof, within a reasonable time.

The Committee shall submit its recommendations, together with drafts of proposed bills and amendments, to the Regular Session of the Legislature as soon as possible after it convenes, and in any event not later than 1 July 1967.

The members of the Committee shall receive the same pay and allowances for attendance at meetings as for attendance at meetings of

regular committees of the Legislature, whether or not the Legislature is in special or regular session at the time of such meetings.

On motion of Mr. Ellis the rules were suspended and H. J. R. 77 was adopted.

Also:

By Mr. Pennington:

H. J. R. 78. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 40, SJR 27, approved April 3, 1967, shall be named, designated and known as the Giles, Pennington, Jones, McLain, Laxson and Snodgrass Act.

On motion of Mr. Pennington the rules were suspended and H. J. R. 78 was adopted.

Also:

By Mr. Headley:

H. J. R. 79. WHEREAS Mayor J. Hollis Jackson of Clanton whose death occurred on November 2, 1966, was an outstanding leader who was particularly noted for his many civic, economic and cultural activities in his city and throughout Chilton County; and

WHEREAS the passing of Mayor Jackson is a distinct loss to this State as well as to his many friends and devoted admirers in his home community; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our deep and heartfelt sympathy to the surviving members of Mr. Jackson's family, to whom copies of this resolution shall be sent.

On motion of Mr. Headley the rules were suspended and H. J. R. 79 was adopted.

H. 184 RE-REFERRED

Mr. Mathews moved that the bill, H. 184, be re-referred. The Speaker re-referred said bill to the Standing Committee on Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 42. Relative to adjournment of the two Houses to meet again on Tuesday, April 11, 1967.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Giles:

S. 110. To authorize and permit grocery stores to remain open on Sunday in each county in the State having a population of not less than 110,000 nor more than 160,000, according to the last or any succeeding federal census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 110. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to the provisions set out in S. J. R. 13, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate:

Senator James A. Branyon

Senator Walter C. Givhan

Senator Paschal P. Vacca

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to the provisions set out in H. J. R. 9, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate:

Senator William H. McDermott

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the Bill:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 65. Naming Senate Joint Resolution No. 10.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the bill, H. 182, said Senate amendment being as follows:

Local Legislation No. 1 Committee Amendment to H. B. 182

Amend House Bill 182 as follows: In the first line of Section 1, add the word "not" between the words "of more".

Yeas 56; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Kilgore | Pennington |
| Agee | Downing | Lemley | Sessions |
| Beck | Foshee | Lybrand | Smith (P) |
| Berryman (R) | Gafford | Malone | Snell |
| Berryman (W) | Gloor | Mays | Springer |
| Bowers | Graham | McCorquodale | Starnes |
| Brassell | Grayson | McDonald | Steagall |
| Burgess | Hain | Meeks | Stembridge |
| Burgreen | Hardin | Merrill | Stubbs |
| Cameron | Harper | Money | Tuck |
| Collier | Harris | Owen (Baldwin) | Waggoner |
| Cook (Jefferson) | Holman | Owens (W) | Weeks |
| Culver | Jackson (F) | Owens (W.E.) | Williams |
| Dill | Jones | Pearson | Wright |

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Also:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Also:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Also:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the Counties composing such Judicial Circuits.

Also:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Also:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature, and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 21, without her approval.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

APRIL 6, 1967

To the House of Representatives
State Capitol
CAPITOL

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 21, without my signature and approval.

While this bill would appear to affect only Blount County, it would deplete the General Fund of the State of Alabama, and if similar bills were passed as to each county within the State, the General Fund would be seriously impaired.

Respectfully,
LURLEEN B. WALLACE,
Governor.

April 6, 1967

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

The question was upon the passage of the bill, H. 21, Governor's veto to the contrary notwithstanding.

And the bill, H. 21, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 67.

Nays:

| | | | |
|--------------|------------------|----------|-------------|
| Mr. Speaker | Burgreen | Doss | Hain |
| Agee | Cameron | Downing | Hardin |
| Beck | Cherner | Edington | Harper |
| Berryman (R) | Cook (Jefferson) | Foshee | Harris |
| Berryman (W) | Crane | Gafford | Hill |
| Bowers | Crawford | Gloor | Holman |
| Brassell | Dill | Graham | House |
| Burgess | Dobbs | Grayson | Jackson (F) |

| | | | |
|--------------|----------------|------------|----------|
| Jackson (T) | Melton | Sessions | Stubbs |
| Kilgore | Merrill | Slate | Tuck |
| Laxson | Money | Smith (P) | Turnham |
| Lemley | Owen (Baldwin) | Snell | Waggoner |
| Lybrand | Owens (W) | Snodgrass | Wood |
| Mays | Pearson | Springer | Wright |
| McCorquodale | Pennington | Starnes | Yeilding |
| McElhaney | Perloff | Steagall | Young |
| Meade | Pruitt | Stembridge | |

—67

BILLS ON THIRD READING

H. 152. To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

(Postponed to 17th Legislative Day)

Was taken up.

Messrs. Dill, Gafford, Cherner, Yeilding, Sessions, Gloor, Money, Brown, Waggoner, Holman, Jackson (T), Adwell, Kilgore, Cook (Jefferson), Crane and Watkins offered the following substitute for the bill, H. 152:

A BILL
TO BE ENTITLED
AN ACT

To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Probate Courts and to the Office of Judge of Probate in all counties having a population of 600,000 or more, according to the last or any subsequent decennial federal census. There shall be an Assistant Judge of Probate in each said county, who shall be learned in the law, over the age of twenty-five years and a resident of the county for one year or more next preceding the date of taking office, who shall be appointed by the Judge of Probate from a list of three eligibles selected and submitted to him as follows: If there is in such county a Judicial Commission pursuant to law or any amendment to the Constitution of Alabama to select eligibles for appointment to vacancies in the office of Circuit Judge in such county, the Judicial Commission shall accept applications and submit the names of the three best qualified persons to the Judge of Probate, in the same manner as the Judicial Commission would select eligibles for appointment to a Circuit Judge vacancy. If there is no such Judicial Commission in such county, or if such Judicial Commission fails to act, then a committee composed

of three members—(1) one of whom shall be a circuit judge of such county appointed by the presiding judge of the circuit court of such county, (2) one shall be a practicing lawyer experienced in probate court matters in such county to be appointed by the president of the Bar Association having the largest membership in such county, and (3) one shall be a non-member of the Bar Association appointed by the County Commission or other county governing body—shall receive applications and certify the three deemed best qualified for such office. Vacancies shall be filled in like manner. The members of such Judicial Commission or other committee shall serve without compensation for such services.

Section 2. Under the general authority, supervision and direction of the Judge of Probate, such Assistant Judge shall be the chief administrative officer of such probate court, and further shall have the following authority and powers:

1. All of the powers, authority and responsibilities now vested or which may hereafter be vested by law in the chief clerk of such court, and specifically all powers, duties, authority and responsibilities provided in Chapter 5 of Title 13 Code of Alabama of 1941 as recompiled by 1958 Code, for the chief clerk.

2. All authority, powers, duties and responsibilities of the clerk-and-register of any such probate court, as provided in Act No. 558 of the Regular Session of 1959 of the Legislature of Alabama.

3. To serve as master and hold references in matters involving contested claims and ascertainment of condemnation awards, and make written report of the findings.

4. To appoint administrators ad litem and appoint notaries public and to appoint legal representatives for recipients of public assistance funds, when such duties and authority is vested in the judge of probate.

5. To hear and determine petitions for adoptions, change of names, legitimations, annexation and other municipal elections, and applications for commitment of mental patients, where there is no contest.

6. To do all other acts and things and perform all other duties, where there is no contest, that the judge of probate could do and perform.

7. The Assistant Judge shall be a full time employee and shall not engage in any other employment.

All of the official acts of such Assistant Judge of Probate must be performed in the name of the Judge of Probate, except as otherwise authorized by law. The assistant judge of probate may be appointed to serve as special judge of probate in accordance with such authority as is now provided by Section 310 of Title 13, Code of Alabama.

Section 3. Such Assistant Judge of Probate, before he enters upon his duties, must take the oath directed to be taken by the officers of this state, and give bond, with surety, in the manner and as required of the chief clerk of the probate court under the same conditions and penalties as are provided in Section 301 of Title 13, Code of Alabama of 1940, as amended, by 1958 Recompiled Code, and other provisions of law applicable to such office in such county, the costs and expenses of which shall be paid for as costs of the official bonds for other county officers in such county are paid.

Section 4. The Assistant Judge of Probate shall be a county officer, and shall serve under the provisions of laws applicable to such office, and he shall be entitled to the same benefits as other county officers are

entitled. He shall be subject to the same liabilities, penalties and responsibilities for his acts as are provided by law for or on the Judge of Probate. The Assistant Judge (or Associate Judge) shall hold office for the term of the judge appointing him, but subject to removal by the Judge for cause by order to be entered at length on the minutes of the court. The beginning salary for the first named Assistant Probate Judge shall be a sum not less than \$15,000.00 nor more than \$16,500.00 per year, to be fixed and approved by the County Commission or other County Governing body, and such salary shall be paid and increased or lowered as other county officers salaries are increased or lowered, and paid.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid, such declaration shall not affect the part which remains. This Act is cumulative.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Laxson | Shumate |
| Adwell | Doss | Lemley | Slate |
| Agee | Downing | Lybrand | Smith (P) |
| Bassett | Drake | Malone | Snell |
| Beck | Edington | Manley | Snodgrass |
| Berryman (R) | Foshee | Mays | Springer |
| Berryman (W) | Gafford | McCorquodale | Steagall |
| Bowers | Gloor | McElhaney | Stembridge |
| Brassell | Grayson | Meade | Stubbs |
| Brown | Hain | Meeks | Thomas |
| Burgess | Hardin | Melton | Tuck |
| Burgreen | Harper | Merrill | Turnham |
| Cameron | Harris | Money | Waggoner |
| Cherner | Hill | Owen (Baldwin) | Weeks |
| Collier | Hobbie | Owens (W) | Williams |
| Collins (W) | Holman | Pearson | Wood |
| Cook (Jefferson) | House | Pennington | Wright |
| Crane | Jackson (F) | Perloff | Yeilding |
| Crawford | Jackson (T) | Pruitt | Young |
| Culver | Kilgore | Sessions | |

—79

And said bill, H. 152, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|---------|
| Mr. Speaker | Burgess | Dill | Hain |
| Adwell | Burgreen | Dobbs | Hardin |
| Agee | Cameron | Doss | Harper |
| Bassett | Cherner | Downing | Harris |
| Beck | Collier | Drake | Headley |
| Berryman (R) | Collins (W) | Edington | Hill |
| Berryman (W) | Cook (Jefferson) | Foshee | Hobbie |
| Bowers | Crane | Gafford | Hogan |
| Brassell | Crawford | Gloor | Holman |
| Brown | Culver | Grayson | House |

| | | | |
|--------------|----------------|-----------|------------|
| Jackson (F) | McLain | Pruitt | Stembridge |
| Jackson (T) | Meade | Sessions | Stubbs |
| Kilgore | Meeks | Shumate | Tuck |
| Laxson | Melton | Slate | Turnham |
| Lemley | Merrill | Smith (C) | Waggoner |
| Malone | Money | Smith (P) | Weeks |
| Manley | Owen (Baldwin) | Snell | Williams |
| Marr | Owens (W) | Snodgrass | Wood |
| Mays | Pearson | Springer | Wright |
| McCorquodale | Pennington | Starnes | Yeilding |
| McElhaney | Perloff | Steagall | Young |

—84

And the bill:

H. 212. Relating to counties of 65,000 to 95,000 population providing further for the distribution of fines from convictions in certain cases of traffic violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Doss | Laxson | Sessions |
| Adwell | Downing | Lemley | Shumate |
| Agee | Drake | Lybrand | Slate |
| Bassett | Edington | Malone | Smith (P) |
| Beck | Foshee | Manley | Snell |
| Berryman (R) | Gafford | Marr | Snodgrass |
| Berryman (W) | Gloor | Mays | Springer |
| Bowers | Grayson | McCorquodale | Starnes |
| Brassell | Hain | McElhaney | Steagall |
| Burgess | Hardin | McLain | Stembridge |
| Burgreen | Harper | Meade | Stubbs |
| Cherner | Harris | Meeks | Tuck |
| Collier | Headley | Melton | Turnham |
| Collins (C) | Hill | Merrill | Waggoner |
| Collins (W) | Hobbie | Money | Weeks |
| Cook (Jefferson) | Holman | Owen (Baldwin) | Williams |
| Crane | House | Owens (W) | Wood |
| Crawford | Jackson (F) | Pearson | Wright |
| Dill | Jackson (T) | Pennington | Yeilding |
| Dobbs | Kilgore | Pruitt | Young |

—80

And the bill:

H. 226. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W ½ of the SE ¼ and the NE ¼ of the SW ¼ of Section 25, T18S, R4W, Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|-------------|--------------|----------|-------------|
| Mr. Speaker | Beck | Brassell | Cameron |
| Adwell | Berryman (R) | Brown | Cherner |
| Agee | Berryman (W) | Burgess | Collier |
| Bassett | Bowers | Burgreen | Collins (C) |

| | | | |
|------------------|-------------|----------------|------------|
| Collins (W) | Harper | McCorquodale | Smith (P) |
| Cook (Jefferson) | Harris | McElhaney | Snell |
| Crane | Headley | McLain | Snodgrass |
| Crawford | Hill | Meade | Springer |
| Culver | Hobbie | Meeks | Starnes |
| Dill | Hogan | Melton | Steagall |
| Dobbs | Holman | Merrill | Stembridge |
| Doss | House | Money | Stubbs |
| Downing | Jackson (F) | Owen (Baldwin) | Tuck |
| Drake | Jackson (T) | Owens (W) | Turnham |
| Edington | Kilgore | Pearson | Waggoner |
| Foshee | Laxson | Pennington | Weeks |
| Gafford | Lemley | Perloff | Williams |
| Gloor | Lybrand | Pruitt | Wood |
| Graham | Malone | Sessions | Wright |
| Grayson | Manley | Shumate | Yeilding |
| Hain | Marr | Slate | Young |
| Hardin | Mays | Smith (C) | |

—87

And the bill:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Downing | Lemley | Sessions |
| Adwell | Drake | Lybrand | Shumate |
| Agee | Edington | Malone | Slate |
| Bassett | Foshee | Manley | Smith (C) |
| Beck | Gafford | Marr | Smith (P) |
| Berryman (R) | Gloor | Mathews | Snell |
| Bowers | Graham | Mays | Snodgrass |
| Brassell | Grayson | McCorquodale | Springer |
| Brown | Hain | McElhaney | Starnes |
| Burgess | Hardin | McLain | Steagall |
| Burgreen | Harper | Meade | Stembridge |
| Cameron | Harris | Meeks | Stubbs |
| Cherner | Headley | Melton | Tuck |
| Collier | Hill | Merrill | Turnham |
| Collins (W) | Hobbie | Money | Waggoner |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Weeks |
| Crane | Holman | Owens (W) | Williams |
| Crawford | House | Pearson | Wood |
| Culver | Jackson (F) | Pennington | Wright |
| Dill | Jackson (T) | Perloff | Yeilding |
| Dobbs | Kilgore | Pruitt | Young |
| Doss | Laxson | | |

—86

BILLS POSTPONED

On motion of Mr. Pruitt, consideration of the bills, H. 176, H. 177 and H. 178, was postponed until the next legislative day.

And the bill:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

This bill does not affect any state revenues.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|-------------|--------------|------------|
| Mr. Speaker | Doss | Laxson | Sessions |
| Adwell | Downing | Lemley | Shumate |
| Agee | Drake | Lybrand | Slate |
| Bank | Edington | Malone | Smith (C) |
| Bassett | Foshee | Manley | Smith (P) |
| Beck | Gafford | Marr | Snell |
| Berryman (R) | Gloor | Mathews | Snodgrass |
| Berryman (W) | Graham | Mays | Springer |
| Bowers | Grayson | McCorquodale | Starnes |
| Brassell | Hain | McDonald | Steagall |
| Brown | Hardin | McElhaney | Stembridge |
| Burgess | Harper | McLain | Stubbs |
| Burgreen | Harris | Meade | Tuck |
| Cameron | Headley | Meeks | Turnham |
| Cherner | Hill | Melton | Waggoner |
| Collier | Hobbie | Merrill | Weeks |
| Collins (W) | Hogan | Money | Williams |
| Cook (Jefferson) | Holman | Owens (W) | Wood |
| Crane | House | Pearson | Wright |
| Crawford | Jackson (F) | Pennington | Yeilding |
| Dill | Jackson (T) | Perloff | Young |
| Dobbs | Kilgore | Pruitt | |

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UNANIMOUS CONSENT GRANTED

Mr. Downing requested unanimous consent to add his name as a co-author of the bill, H. 7, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in

connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

This bill does not affect any state revenue.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Downing | Laxson | Sessions |
| Adwell | Drake | Lemley | Shumate |
| Agee | Edington | Lybrand | Slate |
| Bank | Foshee | Malone | Smith (C) |
| Bassett | Gafford | Manley | Smith (P) |
| Beck | Gloor | Marr | Snell |
| Berryman (R) | Graham | Mays | Snodgrass |
| Berryman (W) | Grayson | McCorquodale | Springer |
| Bowers | Hain | McDonald | Starnes |
| Brassell | Hardin | McElhaney | Steagall |
| Brown | Harper | McLain | Stembridge |
| Burgess | Harris | Meade | Stubbs |
| Cameron | Headley | Meeks | Tuck |
| Cherner | Hill | Merrill | Turnham |
| Collier | Hobbie | Money | Waggoner |
| Collins (W) | Hogan | Owen (Baldwin) | Weeks |
| Cook (Jefferson) | Holman | Owens (W) | Williams |
| Crane | House | Pearson | Wood |
| Crawford | Jackson (F) | Pennington | Wright |
| Dill | Jackson (T) | Perloff | Yeilding |
| Dobbs | Kilgore | Pruitt | Young |
| Doss | | | |

—85

And the bill:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

This bill does not affect any state revenue.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

| | | | |
|------------------|-------------|----------------|------------|
| Mr. Speaker | Dobbs | Laxson | Sessions |
| Adwell | Doss | Lemley | Shumate |
| Agee | Downing | Lybrand | Slate |
| Bank | Drake | Malone | Smith (C) |
| Bassett | Edington | Manley | Smith (P) |
| Beck | Foshee | Marr | Snell |
| Berryman (R) | Gafford | Mays | Snodgrass |
| Berryman (W) | Gloor | McCorquodale | Springer |
| Bowers | Graham | McElhaney | Starnes |
| Brassell | Grayson | McLain | Steagall |
| Brown | Hain | Meade | Stembridge |
| Burgess | Hardin | Meeks | Stubbs |
| Burgreen | Harper | Melton | Thomas |
| Cameron | Harris | Merrill | Tuck |
| Cherner | Headley | Money | Turnham |
| Collier | Hill | Owen (Baldwin) | Waggoner |
| Collins (W) | Hobbie | Owens (W) | Weeks |
| Cook (Jefferson) | Holman | Owens (W.E.) | Williams |
| Crane | House | Pearson | Wood |
| Crawford | Jackson (F) | Pennington | Wright |
| Culver | Jackson (T) | Perloff | Yeilding |
| Dill | Kilgore | Pruitt | Young |

—88

BILLS POSTPONED

On motion of Mr. Crawford, consideration of the bill, H. 47, was postponed until the next legislative day.

On motion of Mr. Turnham, consideration of the bill, H. 218, was postponed until the next legislative day.

And the bill:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

This bill appropriates \$12,000.00 from the Milk Control Board Fund for the fiscal year 1966-67.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

| | | | |
|--------------|------------------|-------------|----------------|
| Mr. Speaker | Cook (Coffee) | Hain | Malone |
| Adwell | Cook (Jefferson) | Hardin | Manley |
| Agee | Crane | Harper | Mays |
| Bank | Crawford | Harris | McCorquodale |
| Bassett | Culver | Headley | McDonald |
| Beck | Dill | Hill | McElhaney |
| Berryman (R) | Dobbs | Hobbie | McLain |
| Berryman (W) | Doss | Hogan | Meade |
| Bowers | Downing | House | Meeks |
| Brassell | Drake | Jackson (F) | Melton |
| Burgess | Edington | Jackson (T) | Merrill |
| Burgreen | Foshee | Jones | Money |
| Cameron | Gafford | Kilgore | Owen (Baldwin) |
| Cherner | Gloor | Laxson | Owens (W) |
| Collier | Graham | Lemley | Owens (W.E.) |
| Collins (W) | Grayson | Lybrand | Pearson |

| | | | |
|------------|-----------|------------|----------|
| Pennington | Smith (C) | Steagall | Weeks |
| Perloff | Smith (P) | Stembridge | Williams |
| Pruitt | Snell | Stubbs | Wood |
| Sessions | Snodgrass | Tuck | Wright |
| Shumate | Springer | Turnham | Young |
| Slate | Starnes | Waggoner | |

—87

And the bill:

H. 63 (with substitute). Relating to prisoners; providing for forfeiture of good-time allowances and extension of sentences of certain recalcitrant county convicts.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to prisoners; making it unlawful for county convicts sentenced to hard labor for the county to wilfully refuse to work or perform labor as lawfully required and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Any able-bodied person sentenced to hard labor for the county upon conviction of any offense against the laws of Alabama who wilfully refuses to work or perform labor as lawfully required shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than twelve months or fined not more than 500 dollars; or both fined and imprisoned.

Section 2. This Act shall take effect immediately upon its enactment.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

| | | | |
|------------------|----------|----------------|------------|
| Mr. Speaker | Doss | Jackson (F) | Pearson |
| Adwell | Downing | Jackson (T) | Pennington |
| Agee | Drake | Jones | Perloff |
| Bank | Edington | Kilgore | Pruitt |
| Bassett | Ellis | Laxson | Sessions |
| Beck | Fine | Lemley | Shumate |
| Berryman (R) | Foshee | Lybrand | Slate |
| Berryman (W) | Gafford | Manley | Smith (C) |
| Brown | Gloor | Marr | Smith (P) |
| Burgess | Graham | Mays | Snodgrass |
| Burgreen | Grayson | McCorquodale | Starnes |
| Cameron | Hain | McDonald | Steagall |
| Cherner | Hardin | McElhaney | Stembridge |
| Collier | Harper | Meade | Tuck |
| Collins (W) | Harris | Meeks | Waggoner |
| Cook (Jefferson) | Headley | Melton | Weeks |
| Crane | Hill | Merrill | Williams |
| Crawford | Hobbie | Money | Wood |
| Culver | Hogan | Owen (Baldwin) | Wright |
| Dill | Holman | Owens (W) | Yeilding |
| Dobbs | House | Owens (W.E.) | Young |

—84

And said bill, H. 63, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Drake | Kilgore | Pennington |
| Adwell | Edington | Laxson | Perloff |
| Agee | Ellis | Lemley | Sessions |
| Bank | Fine | Lybrand | Shumate |
| Bassett | Foshee | Malone | Smith (C) |
| Beck | Gloor | Manley | Smith (P) |
| Berryman (R) | Graham | Marr | Snell |
| Berryman (W) | Grayson | Mathews | Snodgrass |
| Brown | Hain | Mays | Springer |
| Burgess | Hardin | McCorquodale | Starnes |
| Burgreen | Harper | McDonald | Steagall |
| Cameron | Harris | McElhaney | Stembridge |
| Cherner | Headley | McLain | Tuck |
| Collier | Higginbotham | Meade | Turnham |
| Collins (W) | Hill | Meeks | Waggoner |
| Cook (Jefferson) | Hobbie | Melton | Weeks |
| Crane | Hogan | Merrill | Williams |
| Crawford | Holman | Money | Wood |
| Culver | House | Owen (Baldwin) | Wright |
| Dill | Jackson (F) | Owens (W) | Yeilding |
| Dobbs | Jackson (T) | Owens (W.E.) | Young |
| Downing | Jones | Pearson | |

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ADJOURNMENT

On motion of Mr. Pruitt the House adjourned until Tuesday, April 18, 1967, at two o'clock, P. M.

TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, April 18, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Drew J. Gunnels, Jr., Pastor, Eastern Hills Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|-------------|--------------|----------|------------------|
| Mr. Speaker | Berryman (R) | Brassell | Collier |
| Adwell | Berryman (W) | Brown | Collins (C) |
| Agee | Blanton | Burgess | Collins (W) |
| Bank | Bolton | Burgreen | Cook (Coffee) |
| Bassett | Bowers | Cameron | Cook (Jefferson) |
| Beck | Brannan | Cherner | Crane |

| | | | |
|----------|--------------|----------------|------------|
| Crawford | Headley | McDonald | Smith (C) |
| Culver | Higginbotham | McElhaney | Smith (P) |
| Dill | Hill | McLain | Snell |
| Dobbs | Hobbie | Meade | Snodgrass |
| Doss | Hogan | Meeks | Springer |
| Downing | Holladay | Melton | Starnes |
| Drake | Holman | Merrill | Steagall |
| Ellis | House | Money | Stembridge |
| Fine | Jackson (F) | Neville | Stubbs |
| Foshee | Jackson (T) | Owen (Baldwin) | Thomas |
| Gafford | Jones | Owens (W) | Tuck |
| Garrett | Kilgore | Owens (W.E.) | Turnham |
| Gloor | Laxson | Paulk | Waggoner |
| Graham | Lemley | Pearson | Watkins |
| Grayson | Lybrand | Pennington | Weeks |
| Hain | Malone | Perloff | Williams |
| Hardin | Marr | Pruitt | Wood |
| Harper | Mathews | Sessions | Wright |
| Harris | Mays | Shumate | Yeilding |
| Haygood | McCorquodale | Slate | Young |

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Pruitt leave of absence was granted to Mr. Manley because of illness.

On motion of Mr. Downing leave of absence was granted to Mr. Edington because of illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-second legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Downing:

H. J. R. 80. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the Senate adjourns today they adjourn to meet again on Thursday, April 20, 1967, and when they adjourn April 20, they adjourn to meet again on Tuesday, April 25, 1967, and when the House adjourns today, it adjourns to meet again on Tuesday, April 25, 1967.

On motion of Mr. Downing the rules were suspended and H. J. R. 80 was adopted.

BILLS ON SECOND READING

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 184. (with amendment) To amend further Act No. 672, S. 99, Regular Session 1965, an act providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 231. To exempt ambulance service contracts from regulation as insurance.

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Mr. Fine, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 230. To provide for closing county offices in Chilton County on Saturdays.

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Owens (W), Sessions, Thomas, Brassell, Malone, Cameron, Beck and Watkins:

H. 235. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

Insurance.

By Messrs. Owens (W), Sessions, Thomas, Brassell, Malone, Cameron, Beck and Watkins:

H. 236. To amend Act No. 133, H. 187, Regular Session 1945, an act to regulate the making and applying of rates for casualty, surety,

and all other kinds of insurance which casualty and surety insurance companies are authorized to write in this State (General Acts 1945, p. 145).

Insurance.

By Mr. Fine:

H. 237. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Fine:

H. 238. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Local Legislation No. 1.

By Mr. Fine:

H. 239. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Local Legislation No. 1.

By Mr. Fine:

H. 240. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

Local Legislation No. 1.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 241. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Local Legislation No. 1.

Notice and Proof H. 241:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Be It Enacted by the Legislature of Alabama:

Section (1) The county comptroller or treasurer of Walker County shall be entitled to six hundred dollars (\$600) per annum for ex-

penses incurred in the operation of this office, payable monthly out of the general funds of the county in equal monthly installments.

Section (2) This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 242. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Local Legislation No. 1.

Notice and Proof H. 242:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Proposed Amendment

"In addition to any taxes now authorized or that may be hereafter authorized by the Constitution and laws of Alabama, the governing body of Walker County shall levy and cause to be collected annually a special district tax, not exceeding 50 cents on each 100 dollars assessed valuation of taxable property in District Two of Walker County, Alabama, to be used exclusively for public hospital purposes (as the term 'public hospital purposes' is defined in Amendment LXXXVI to the Constitution proposed by Acts of 1949, Page 897, submitted December 13, 1949, and proclaimed ratified December 21, 1949) within said District Two; provided that the time during which such tax is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors in District Two of Walker County and voted for by a majority of such electors voting at such election. The governing body of Walker County may call an election at any time, and it shall be the duty of such governing body to call an election to be held within ninety days after receipt by it of a petition signed by not less than 5% of the qualified electors of said District Two, requesting that such election be called. The governing body may call such election to be held at the same time that this amendment is submitted to the electors of the State for ratification and such election shall be effective to require the levy and collection of such tax in the event that this amendment shall be ratified. The notice of such election, ballots to be used at such election and procedures for holding and determining the results of such election shall be prescribed by the governing body of Walker County. No election shall be held hereunder within one year from the date of the last election so held.

"Whenever such tax shall have been authorized by vote of such qualified electors, and levied by the governing body of Walker County, such governing body may anticipate the proceeds therefrom for any one or more of the purposes for which the tax shall have been voted, by issuing, without further election, interest bearing tax anticipation bonds, warrants, or certificates of indebtedness of said county payable solely from and secured by a pledge of a sufficient amount of the annual proceeds from said tax received by the county.

"The governing body of Walker County shall have power to designate as the agency of the county, to construct, acquire, equip, operate and maintain public hospital facilities for said District Two, any public corporation heretofore or hereafter organized for hospital purposes in the county. When a public corporation shall have been so designated, the proceeds of said tax thereafter collected shall be paid to it and shall be used by it for any one or more of the purposes for which the tax shall have been voted; provided, that payments of the proceeds of said tax to said public corporation shall be made only to such extent as will not result in the impairment of the obligation of any contract theretofore made with respect to said tax. Said public corporation may anticipate the proceeds from said tax so required to be paid to it by issuing, for any one or more of the purposes for which the tax shall have been voted, the bonds, warrants, or certificates of indebtedness of said corporation, and may pledge for the payment of the principal thereof and interest thereon a sufficient amount of the annual proceeds from said tax so paid to it.

"No securities issued or contracts made by Walker County under the authority of this amendment, which are payable solely out of the proceeds of said tax, and no securities issued or contracts made by any such public corporation, whether or not issued or made under the authority of this amendment, shall be construed to be bonds of Walker County or of a political subdivision thereof within the meaning of Section 222 of the Constitution, or construed to create or constitute an

indebtedness of the county within the meaning of Section 224 of the Constitution. Said securities shall be construed to be negotiable instruments notwithstanding the fact that they may be payable solely from a limited source. All pledges of said tax and all contracts made with respect thereto pursuant to the provisions of this amendment shall take precedence in the order in which they are made and shall create a charge on the proceeds of said tax prior to the expenses of operating and maintaining any public hospital facilities.

"District Two of Walker County herein referred to is the commissioner's District Two now established in Walker County as authorized by law."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjourn- of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940, as amended.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspapers is published, a copy of the notice shall be posted at each courthouse and post office.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Shumate and Dobbs:

H. 243. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 81. WHEREAS Mr. Edward M. Lindsey of Lawrenceburg, Tennessee, who will speak to the Auburn Lions Club on ladies' night on April 25, 1967, was last year elected president of Lions International in Madison Square Garden in New York City; and

WHEREAS Lion Lindsey has had a perfect attendance record since he joined the Lawrenceburg Lions Club in 1946, since which time he has served effectively in many capacities including as president of the Lawrenceburg Lions Club, as zone chairman, district governor, director for the organization and as first vice-president immediately prior to his election as president; and

WHEREAS Mr. Lindsey, who is a successful furniture manufacturer, is active in civic, social and religious work in Lawrenceburg. He is a former mayor of his city and in 1955 was named Tennessee's outstanding mayor. He served as a pilot in World War II and continued his military service with the Tennessee National Guard until his retirement after twenty years of service. He has long been interested in history, and for his outstanding contributions to the Lawrence County Historical Society, he was awarded a life membership in that organization. He was for fifteen years chairman of the Lawrence County National Polio Foundation and has for many years been active in the Methodist Church, working on the church's board of stewards and as a lay speaker; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend a most cordial welcome to Mr. Lindsey to our State and commend him for his many and varied outstanding contributions to his area of the South and to the Lions International organization.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Lindsey and to the Auburn Lions Club.

On motion of Mr. Turnham the rules were suspended and H. J. R. 81 was adopted.

Also:

By Mr. Tuck:

H. J. R. 82. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the recent death of an outstanding educator of this State, Mr. Guy W. Smith, whose many services and contributions toward promoting education in this state included among them classroom teaching, school administration, recruitment of college students and a constant and active interest in encouraging young students to take advantage of all the opportunities available for furthering their education.

BE IT FURTHER RESOLVED That we are gratified by the knowledge that an educational scholarship fund has been established in memory of Mr. Smith. This is a particularly appropriate method of honoring a man who acquired his education at Alabama colleges and then devoted more than forty years of his life toward skillfully applying the principles he learned there to the benefit of the public schools and colleges of Alabama and imbuing the youth of this State with a desire for higher education.

BE IT ALSO RESOLVED That the sincere sympathy of this body is extended to the surviving members of Mr. Smith's family. May their grief be ameliorated to at least a small extent by the fact that his memory will live on and his most cherished aims be furthered by the scholarship fund which has been established in loving memory of him.

A duly authenticated copy of this resolution shall be transmitted by the clerk of the House of Representatives to Mr. Smith's family.

On motion of Mr. Tuck the rules were suspended and H. J. R. 82 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Also:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Also:

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Also:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | House | Sessions |
| Adwell | Doss | Jackson (F) | Smith (C) |
| Agee | Downing | Jackson (T) | Smith (P) |
| Bank | Drake | Jones | Snell |
| Beck | Ellis | Kilgore | Springer |
| Berryman (R) | Foshee | Lybrand | Starnes |
| Blanton | Garrett | Malone | Stubbs |
| Brannan | Gloor | Marr | Tuck |
| Brassell | Grayson | Mays | Turnham |
| Burgess | Hain | McDonald | Waggoner |
| Cameron | Harper | McElhaney | Watkins |
| Cherner | Haygood | Merrill | Weeks |
| Collier | Headley | Neville | Williams |
| Collins (C) | Higginbotham | Owen (Baldwin) | Wood |
| Collins (W) | Hill | Owens (W) | Wright |
| Cook (Jefferson) | Hobbie | Perloff | Yeilding |
| Crawford | Holman | Pruitt | Young |
| Dill | | | |

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And the bill:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Sessions |
| Adwell | Downing | Jones | Smith (C) |
| Agee | Drake | Kilgore | Smith (P) |
| Beck | Ellis | Lybrand | Snell |
| Berryman (R) | Foshee | Malone | Springer |
| Blanton | Garrett | Marr | Starnes |
| Bowers | Gloor | Mays | Stubbs |
| Brannan | Grayson | McCorquodale | Tuck |
| Brassell | Hain | McDonald | Turnham |
| Burgess | Harper | McElhaney | Waggoner |
| Cameron | Haygood | Merrill | Watkins |
| Cherner | Headley | Neville | Weeks |
| Collier | Higginbotham | Owen (Baldwin) | Williams |
| Collins (C) | Hill | Owens (W) | Wood |
| Collins (W) | Hobbie | Pearson | Wright |
| Cook (Jefferson) | Holman | Perloff | Yeilding |
| Crawford | House | Pruitt | Young |
| Dobbs | Jackson (F) | | |

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And the bill:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dobbs | House | Pruitt |
| Adwell | Doss | Jackson (F) | Sessions |
| Agee | Downing | Jackson (T) | Smith (C) |
| Bank | Drake | Jones | Smith (P) |
| Beck | Ellis | Kilgore | Snell |
| Berryman (R) | Fine | Lybrand | Springer |
| Blanton | Foshee | Malone | Starnes |
| Bowers | Garrett | Marr | Stubbs |
| Brannan | Gloor | Mays | Tuck |
| Brassell | Grayson | McDonald | Turnham |
| Burgess | Hain | McElhaney | Waggoner |
| Cameron | Harper | Meade | Watkins |
| Cherner | Haygood | Merrill | Weeks |
| Collier | Headley | Neville | Williams |
| Collins (C) | Higginbotham | Owen (Baldwin) | Wood |
| Collins (W) | Hill | Owens (W) | Wright |
| Cook (Jefferson) | Hobbie | Pearson | Yeilding |
| Crawford | Holman | Perloff | Young |

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And the bill:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jackson (T) | Sessions |
| Adwell | Downing | Jones | Shumate |
| Agee | Drake | Kilgore | Smith (C) |
| Bank | Ellis | Lybrand | Smith (P) |
| Beck | Fine | Malone | Snell |
| Berryman (R) | Foshee | Marr | Springer |
| Blanton | Garrett | Mays | Starnes |
| Bowers | Gloor | McCorquodale | Stubbs |
| Brannan | Grayson | McDonald | Tuck |
| Brassell | Hain | McElhaney | Turnham |
| Burgess | Harper | Meade | Waggoner |
| Cameron | Haygood | Merrill | Watkins |
| Cherner | Headley | Neville | Weeks |
| Collier | Higginbotham | Owen (Baldwin) | Williams |
| Collins (W) | Hill | Owens (W) | Wood |
| Cook (Jefferson) | Hobbie | Pearson | Wright |
| Crawford | Holman | Perloff | Yeilding |
| Dobbs | Jackson (F) | Pruitt | Young |

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BILLS POSTPONED

On motion of Mr. Pruitt, consideration of the bills, H. 176, H. 177 and H. 178, was postponed until the next legislative day.

ADJOURNMENT

On motion of Mr. Bank the House adjourned until Tuesday, April 25, 1967, at two o'clock P. M.

TWENTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, April 20, 1967

The House did not meet today.

TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, April 21, 1967

The House did not meet today.

TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Monday, April 24, 1967

The House did not meet today.

TWENTY-SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, April 25, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend James Grant, Minister, Prattville Alliance Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|--------------|------------------|---------|--------------|
| Mr. Speaker | Cameron | Ellis | Higginbotham |
| Adwell | Cherner | Fine | Hill |
| Agee | Collier | Foshee | Hobbie |
| Bassett | Collins (C) | Gafford | Holman |
| Beck | Collins (W) | Garrett | House |
| Berryman (R) | Cook (Jefferson) | Gloor | Jackson (F) |
| Berryman (W) | Crane | Graham | Jackson (T) |
| Blanton | Culver | Grayson | Jones |
| Bowers | Dill | Hain | Kilgore |
| Brannan | Dobbs | Hardin | Lemley |
| Brassell | Doss | Harper | Lybrand |
| Brown | Downing | Harris | Malone |
| Burgess | Drake | Haygood | Marr |
| Burgreen | Edington | Headley | Mathews |

| | | | |
|----------------|------------|------------|----------|
| Mays | Owens (W) | Smith (C) | Stubbs |
| McDonald | Pearson | Smith (P) | Tuck |
| McElhaney | Pennington | Snell | Watkins |
| McLain | Perloff | Snodgrass | Weeks |
| Meade | Pruitt | Springer | Williams |
| Melton | Sessions | Starnes | Wright |
| Merrill | Shumate | Steagall | Yeilding |
| Money | Slate | Stembridge | Young |
| Owen (Baldwin) | | | |

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Higginbotham leave of absence was granted to Mr. Turnham because of illness in the family.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-third legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 237. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

H. 238. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

H. 239. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

H. 240. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

H. 241. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the

following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 242 (with amendment). Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 243. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Higginbotham, Turnham and Brassell (with notice and proof):

H. 244. To repeal Act No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the sheriff.

Local Legislation No. 1.

Notice and Proof H. 244:

STATE OF ALABAMA COUNTY OF LEE

Before me Dorothy W. Mitchell, a Notary Public, Lee County, Alabama, personally appeared W. C. Wear, Jr., who being duly sworn, deposes and says as follows:

I am co-publisher of the OPELIKA DAILY NEWS, Inc., that the following advertisement to wit:

STATE OF ALABAMA COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act. No. 194, H. 588, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than

50,000 and authorizing the county governing body of any such county to provide further additional deputies for the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies of the sheriff (Acts 1965, v. 1, p. 278) is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

was published 3 times March 16, 23, 30/ 1967 in the OPELIKA DAILY NEWS, Inc., a newspaper published in Lee County, Alabama.

W. C. WEAR, JR.,
Co-publisher.

Sworn and subscribed to me this 5 day of April, 1967.

DOROTHY W. MITCHELL,
Notary Public.

By Messrs. Higginbotham, Turnham and Brassell (with notice and proof):

H. 245. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

Local Legislation No. 1.

Notice and Proof H. 245:

STATE OF ALABAMA
COUNTY OF LEE

Before me Dorothy W. Mitchell, a Notary Public, Lee County, Alabama, personally appeared W. C. Wear, Jr., who being duly sworn, deposes and says as follows:

I am co-publisher of the OPELIKA DAILY NEWS, Inc., that the following advertisement to wit:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961, an act providing for deputies and assistants of the sheriff of Lee County, as

amended by an act approved August 30, 1963, is further amended to read as follows:

"Section 1. The board of revenue, court of county commissioners or other like governing body of Lee County shall provide the sheriff of the county with one chief deputy and two assistant deputies and in its discretion four additional assistant deputies, two jailers and one deputy clerk. The chief deputy shall receive not less than \$400 nor more than \$495 monthly; each assistant deputy shall receive not less than \$370 or more than \$420 monthly; each jailer shall receive not less than \$270 nor more than \$300 monthly; and the deputy clerk shall receive not less than \$200 nor more than \$225 monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

was published 3 times March 16, 23, 30/ 1967 in the OPELIKA DAILY NEWS, Inc., a newspaper published in Lee County, Alabama.

W. C. WEAR, JR.,
Co-publisher.

Sworn and subscribed to me this 5 day of April, 1967.

DOROTHY W. MITCHELL,
Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Headley:

H. J. R. 83. WHEREAS, no field of education touches more intimately and contributes more fully to the culture life of each citizen of a community than a well organized and efficiently run public library; and

WHEREAS, the unbounded interest of the past and present members of the Alabama Public Library Service, the Cahaba Regional Library Board and the Clanton Library Board; the Building Committee, the immediate Staff of the library in Clanton, as well as hundreds of citizens, made it possible for the Cahaba Regional Library to become a reality; and

WHEREAS, the new Cahaba Regional Library will be dedicated on Sunday, May 28, 1967, in Clanton, Alabama, at which time the public is invited to attend:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does hereby commend the Alabama Public Library Service, the Cahaba Regional Boards, the Building Committee and all others whose untiring energy and diligence have been rewarded by the completion of this long-awaited project.

On motion of Mr. Headley the rules were suspended and H. J. R. 83 was adopted.

Also:

By Mr. Cook (Jefferson):

H. J. R. 84. WHEREAS, April 24 through April 29 has been established as Alabama Industry Days by the following sponsoring organizations:

Alabama Jaycees

Auburn University

Alabama Press Association

Alabama Broadcasters Association

University of Alabama

State Planning and Industrial Development Board

Associated Industries of Alabama

and,

WHEREAS, these days have been set aside by the Governor in recognition of industry and its contribution to the communities and the state as a whole;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that April 24-29 be recognized by the Alabama Legislature as Alabama Industry Days.

On motion of Mr. Cook (Jefferson) the rules were suspended and H. J. R. 84 was adopted.

Also:

By Messrs. Bowers, Holman, Jackson (T), Cook (Jefferson), Money, Sessions, Ellis, Crane, House, Cherner and Adwell:

H. J. R. 85. WHEREAS the recent death of Mr. Andrew J. Lewis, founder and president of Vulcan Life Insurance Company, was a distinct loss to this State and particularly to the City of Birmingham where he had devoted much time and effort to the promotion of every worthwhile endeavor for the betterment of his city; and

WHEREAS Mr. Lewis, a native of Brunswick County, North Carolina and a graduate of Wake Forest College, came to Birmingham in 1945, since which time he had been active in community and business affairs. He had not only built a large well-organized life insurance company operating in nine states, but he had also served effectively as president of the Birmingham Civitan Club, president of the Association of Alabama Life Insurance Companies and president of the Better Business Bureau of Birmingham. He was an active member of the Vestavia Baptist Church and of numerous fraternal, civic and social clubs; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Andrew J. Lewis and extend our sincere sympathy to Mrs. Lewis; to his daughter, Mrs. John B. Davis of Birmingham, and to his son, Dr. Andrew J. Lewis, Jr. of Charlotte, North Carolina.

RESOLVED FURTHER That copies of this resolution be sent to Mrs. Lewis, Mrs. Davis and to Dr. Lewis.

On motion of Mr. Bowers the rules were suspended and H. J. R. 85 was adopted.

Also:

By Messrs. Bowers, Holman, Jackson (T), Cook (Jefferson), Money, Ellis, Sessions, Crane, House, Cherner and Adwell:

H. J. R. 86. WHEREAS the State of Alabama has suffered a great loss in the recent passing of Colonel William Shelton Pritchard who was a prominent member of the Alabama State Bar, the American Bar and the Birmingham Bar Associations. He was highly esteemed by his fellow attorneys, judges and all associates both within and without his profession; and

WHEREAS Colonel Pritchard was a vigorous and active man who gave the full extent of his uncommon and varied talents to numerous civic, religious, social and philanthropic causes. His resourcefulness and generosity lent impetus to his every endeavor, and his wise and patient counseling was often sought and highly valued; and

WHEREAS Colonel Pritchard served in combat with the Field Artillery, First Division, U. S. Expeditionary forces in France in World War I after which he was discharged as major. In World War II he served as colonel in command of the Military District of North Carolina. He held numerous medals, citations and awards for distinguished service. From 1952 to 1961, he was Civilian Aide to Secretary of the Army, William Brucker, in which capacity he rendered valuable service in the development of national defense; and

WHEREAS Colonel Pritchard was a devout member of the Roman Catholic Church, and was a member of the board of trustees of St. Bernard College in Cullman. He aided in the promotion of the Holy Family Hospital in Ensley and also served on its board; and

WHEREAS Colonel Pritchard was a loyal alumnus of the University of Alabama and was the 1965 chairman of the Birmingham area drive for funds for the University of Alabama Law School Foundation; and

WHEREAS the wide variety of Colonel Pritchard's activities attest to his numerous and diverse interests in addition to his social activities and the making of enduring friendships throughout this region; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the death of Colonel Pritchard and extend our sincere sympathy to the surviving members of his family.

RESOLVED FURTHER that a copy of this resolution be sent to his widow, Mrs. Catherine Hudnut Robinson Pritchard; to his daughters, Mrs. Mary Pritchard Forman, and Mrs. Catherine Pritchard Lindsey of Penfield, New York; and to his sons, William S. Pritchard, Jr. and Donald Ross Pritchard.

On motion of Mr. Bowers the rules were suspended and H. J. R. 86 was adopted.

Also:

By Messrs. Bowers, Holman, Jackson (T), Cook (Jefferson), Money, Sessions, Ellis, Crane, House, Cherner and Adwell:

H. J. R. 87. WHEREAS one of Alabama's leading citizens and highly respected attorneys, Mr. Roderick Beddow, was honored in his home city of Birmingham on April 12th when over six hundred members of the Lions Club, state officials and other dignitaries assembled at a banquet in celebration of Roderick Beddow Night; and

WHEREAS Mr. Beddow, graduate of Washington and Lee University and of the University of Alabama Law School, has since his admission to the bar in 1913, built an enviable reputation as a most successful practitioner of law. His legal ability and colorful skill as a defense attorney in courtroom trials are legendary, and his meticulous devotion to duty in the causes he represents have brought him the highest respect of his fellow attorneys. Mr. Beddow is a member of the American Bar Association, the American Trial Lawyers Association, the Alabama Trial Lawyers Association, the Alabama State Bar and the Birmingham Bar. From 1951 to 1955 he served as secretary of the Alabama Trial Lawyers Association, and he is a past president of both the Alabama State Bar and Birmingham Bar; and

WHEREAS Mr. Beddow is a great humanitarian, who in addition to being a legal defender of the oppressed, is a contributor of limitless time, effort and financial aid in assisting others, and particularly in helping to restore sight to the blind; and

WHEREAS in recognition of Mr. Beddow's distinguished service as an active and effective leader in the Lions Club International which organization he has served as both vice-president and president, members and officials came from distant areas of the United States and several foreign countries to honor him; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take cordial note of the recognition and honor paid to Mr. Beddow on Roderick Beddow Night, and extend to him our grateful appreciation and warm commendation for his many contributions to this State.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Beddow and to the Lions Club International.

On motion of Mr. Bowers the rules were suspended and H. J. R. 87 was adopted.

Also:

By Mr. Pruitt:

H. R. 88. Requesting advisory opinions of the Justices of the Supreme Court of Alabama in re H. B. 82.

WHEREAS the Governor of Alabama issued a proclamation on February 27, 1967, convening this extraordinary session of the Legislature commencing at six-thirty p. m. on the 2nd day of March, 1967, a true copy of which said proclamation is attached to this resolution as Exhibit A and incorporated herein by reference; and

WHEREAS the Governor by a document filed with the two houses on March 14, 1967, sought to amend the proclamation of February 27 to include an additional subject of legislation to be acted upon at the special session, a true copy of which said document is attached to this resolution as Exhibit B and incorporated herein by reference; and

WHEREAS the pending bill, H. B. 82, which relates to the rate and distribution of the state excise tax on gasoline and other fuels used to propel aircraft, a true copy of which bill is attached to this resolution as Exhibit C and incorporated herein by reference, has passed the House and is pending in the Senate; be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, be, and they hereby are respectfully requested to give this body their written opinions concerning the

following important constitutional question which has arisen in connection with this pending legislation:

Would the legislation proposed by said H. B. 82 require a vote of two-thirds of each house for passage under Article 4, Section 76 of the Constitution?

RESOLVED FURTHER, That the Clerk of the House shall deliver forthwith four copies of this resolution, together with the exhibits thereto, to the Clerk of the Supreme Court forthwith upon its adoption.

Exhibit A

A PROCLAMATION
BY THE
GOVERNOR

WHEREAS, there presently exists in the State of Alabama a critical need for additional money for the purpose of continuing the highways and bridge building program presently underway throughout the State, and

WHEREAS, this need is so urgent that it would be unwise to await the convening of the Legislature of Alabama in Regular Session, and

WHEREAS, there are other pressing and urgent needs within the State which need to be met at this time, and

WHEREAS, the public interest and the public good require the convening of the Legislature in an extraordinary session:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby convene the Legislature at the seat of the government, in the City of Montgomery, Alabama, at six thirty p. m. the 2nd day of March, 1967, in special session, and specifically designate the following matters concerning which I deem action to be necessary.

1. Legislation to authorize the issuance, by existing or newly authorized public corporations, or otherwise, of bonds, or other securities for the purpose of constructing highways and bridges and all activities connected therewith, and to raise revenue and to appropriate and pledge funds to pay the principal of and the interest on such bonds or other securities and to raise revenue and appropriate funds for other highway and bridge purposes, whether in the form of new legislation or the modification or amendment of existing legislation, and to provide a program for road and street purposes of the counties and municipalities of the State of Alabama.

2. Legislation providing for appropriations for the operation, maintenance, and support of the Hospital Division of the Alabama Department of Mental Health.

3. Legislation providing an appropriations for capital outlay purposes to the Alabama Department of Mental Health.

4. Legislation to provide that all contracts of whatever nature for labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property, involving five hundred dollars (\$500.00) or more, made by or on behalf of any city or county governing body or county or city Board of Education, trade schools or junior colleges, and institutions under the control of the State Board of Education, shall, except for contracts for which competitive bidding is not required under present State law, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

5. Legislation to provide for the deposit of surplus State funds in banks or banking institutions on time deposits, open accounts and to provide for the payment of interest on such deposits made with such banks or banking institutions and to provide for the appropriation of the earnings and income from such deposits.

6. Legislation to amend existing law in order to authorize the "Alabama Corrections Institutions Finance Authority" to issue bonds for the purpose of providing funds for the acquisition of sites, for the construction, reconstruction, alteration and improvement of facilities of correctional institutions, for the procurement of equipment therefor, and for the payment of obligations incurred or temporary loans made for any of said purposes.

7. The attention of the Legislature is called to the provisions of the Uniform Time Act of 1966, Public Law 89-387, which provides that the State of Alabama will come under its provisions effective April 1, 1967, unless some action is taken to exempt the State from its provisions.

8. Legislation to make adjustments in the maximum salary scale for merit system employees and to appropriate funds to the various State departments to provide for a cost-of-living increase to merit system employees.

9. Local legislation.

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 27th day of February, 1967.

Governor

Secretary of State

Exhibit B

AMENDMENT TO PROCLAMATION
BY THE
GOVERNOR

WHEREAS, by Proclamation issued on the 27th day of February, 1967, I did convene the Legislature of Alabama in Special Session and did designate specifically certain matters concerning which I deemed action to be necessary, and

WHEREAS, I deem it necessary to amend said Proclamation to include another matter concerning which I deem action to be necessary:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby amend the Proclamation issued by me on the 27th day of February, 1967, convening the Legislature in Special Session to add the following matter concerning which I deem action to be necessary.

"10. Legislation to amend or modify existing law regarding the taxation of fuel used for aviation and the distribution of proceeds from the tax imposed on aviation fuel."

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have

caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 14th day of March, 1967.

/s/ Lurleen B. Wallace
GOVERNOR OF ALABAMA

Exhibit C

A BILL
TO BE ENTITLED
AN ACT

To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 51, section 647, as amended, Code of Alabama 1940, is further amended to read as follows:

Section 647. Excise tax levied; use of the net proceeds thereof and method of allocation and distribution; distributor, dealer, etc., to add tax to price.-(a) Every distributor, refiner, retail dealer, storer, or user of gasoline shall collect and pay over to the state department of revenue an excise tax of seven cents per gallon upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for any use, gasoline as defined or otherwise referred to in article 5 of Title 51, Code of Alabama 1940, and as amended, except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) below; provided, that where any excise tax imposed by this section upon the sale, use or consumption, distribution, storage, withdrawal from storage in this state of such gasoline shall have been paid to the state by a distributor, refiner, or by any retail dealer, storer, or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once. (b) The state department of revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department for use by the United States in purchasing gasoline or other fuels taxed by this Act within the state of Alabama and which is paid for by the United States. Any person in reporting and paying the tax to the department may deduct the number of gallons of gasoline or other fuels taxed by this Act sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report; and the department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates. (c) The revenue, less the cost of collection and all refunds authorized by law, obtained from the seven cents excise tax on gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines, as is provided for in this section, shall not be used for any purposes other than the following, namely: (1) The legislature hereby finds as a fact that of all the gasoline sold in this state not less than thirty-five one hundredths of one per cent thereof is used for marine purposes to propel vessels on inland and coastal waterways of this state. The legislature hereby declares that it is the policy of this state to use the funds derived from the sale of marine gasoline to improve boating and boating facilities, seafoods, and salt water sports fishing in this state. Effective on the first day of the month following the passage and approval of this act thirty-five one hundredths of one per cent of all state imposed taxes collected on the sale of gasoline (except gasoline and other fuels consumed in airplanes) shall be credited as follows: Sixty per cent to the state water safety fund of the water safety division and forty per cent to the

seafood fund of the seafood division. (2) The revenue arising from the sale of gasoline as herein defined, (except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) below) for all other purposes shall not be used for any purpose other than for the construction, improvement, maintenance and supervision of highways, bridges and streets, including the retirement of bonds for the payment of which such revenues have been or may hereafter be pledged. The payment of the per diem and mileage of members of county governing bodies when engaged in supervising the construction, improvement and maintenance of highways, bridges and streets, shall be construed as used in supervision. However, the governing body of each county is authorized to expend an amount not to exceed one third of the total amount of such revenue that may be received by such county in the payment of any debt that may have been incurred by such county for the construction or maintenance of roads or bridges. This fund shall be allocated in the manner now provided by law. On the 20th day of each month following that quarter of any fiscal year, all revenue derived from the sale of gasoline to be consumed in the motor of a boat or vessel as defined in (1) above shall be allocated to the "state water safety fund" and "seafoods fund" (d) (1) Every distributor, refiner, retail dealer, storer or user of gasoline or any substitute or device therefor sold for use as a fuel to propel aircraft shall collect and pay over to the state department of revenue an excise tax in accordance with the following schedule upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for use as a fuel to propel aircraft: (a) Gasoline or other fuel used to propel aircraft powered by reciprocating engines shall be taxed at the rate of one and one-half cents per gallon. (b) Any fuel used to propel aircraft powered by jet or turbine engines shall be taxed at the rate of one-half of one cent per gallon. (2) On July 31, 1969, or as soon thereafter as practicable and at the same time in every year thereafter, the commissioner of revenue shall determine the total number of gallons of fuel upon which the tax levied in subsection (d) (1) above has been reported and paid to the state during the preceding twelve months period, and at the same time he shall ascertain the total net amount of revenue produced by the tax levied thereon. If the net proceeds of the tax for such period amount to more than \$450,000, the rate of the tax shall be reduced in decrements of three tenths of one cent per gallon with respect to the tax levied in subsection (d) (1) (a) above and in decrements of one tenth of one cent per gallon with respect to the tax levied in subsection (d) (1) (b) above to the extent required to maintain net collections for such period at a level of \$450,000. If at any time after such a reduction the rate of tax collections declines to the extent that the \$450,000 level for a similar twelve months period cannot be maintained, the rate of the tax shall be correspondingly increased in increments of three tenths of one cent per gallon with respect to the tax levied in subsection (d) (1) (a) above and increments of one tenth of one cent per gallon with respect to the tax levied in subsection (d) (1) (b) above to the extent required to maintain net collections for a similar period at a level of \$450,000. It is the legislative intent by the above provisions to maintain collections at a \$450,000 level per annum. (3) The revenue, less the cost of collection, obtained from the tax levied in subsection (d) (1) above shall be paid into the State Treasury and be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the state, for the payment of the salary of the state director of aeronautics, the salaries of other employees of the Alabama department of aeronautics, and for the payment of other administrative and aeronautical expenses of the Alabama department of aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter law-

fully issued, sold and delivered for funds to be used exclusively for the enumerated purposes. (e) Every distributor, refiner, retail dealer, or storer of gasoline or other fuels taxed by this Act shall add the amount of the excise tax levied and assessed herein to the price of the gasoline or other fuels taxed by this Act, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer or user with distributor, refiner, retail dealer, or storer, or in the case of a licensed user, acting merely as an agent of the state for the collection and payment of the tax to the state.

Section 2. This Act shall become effective July 1, 1967 after its passage and approval by the Governor or by its otherwise becoming a law.

On motion of Mr. Pruitt the rules were suspended and H. R. 88 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Stone, Cooper and McDermott:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, campsites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and laundrettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and

conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 117. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Giles, Folsom and Goodwyn.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pennington the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 23.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Pennington, Drake and Owen.

COMMITTEE APPOINTED

The Speaker appointed as a committee to represent the House of Representatives at the funeral of Honorable Hugh Thomas, Messrs. Bank, Brown, Culver, Smith (C), Gloor, McElhaney, Pruitt, Turnham, Owens (W) and Lybrand.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 80. Relative to adjournment of the two Houses

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing the House concurred in and adopted the Senate substitute for the resolution, H. J. R. 80, said Senate substitute being as follows:

Substitute for H. J. R. 80

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the Senate adjourns Tuesday, April 18, they adjourn to meet again on Thursday, April 20, 1967, and when they adjourn April 20, they adjourn to meet again on Friday, April 21, 1967, and when the House adjourns Tuesday, April 18, it adjourns to meet again on Tuesday, April 25, 1967.

SUPREME COURT ADVISORY OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

April 17, 1967

J. RENDER THOMAS (1881-1966)
Clerk

RICHARD W. NEAL
Deputy Clerk

LOUISE L. HOLT
Assistant Clerk

Honorable John W. Pemberton, Clerk
House of Representatives
Capitol

Dear Mr. Pemberton:

Enclosed are two certified copies of the Opinion of the Justices of the Supreme Court of Alabama in answer to request for an advisory opinion concerning constitutional questions posed by House Bill No. 217.

Yours very truly,
RICHARD W. NEAL,
Deputy Clerk.

RWN/lh

SUPREME COURT ADVISORY OPINION

Read and ordered filed.

H. 230 POSTPONED

On motion of Mr. Headley, consideration of the bill, H. 230, was postponed until the next legislative day.

BILLS ON THIRD READING

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Was taken up.

Mr. Shumate offered the following amendment to the bill, H. 234:

In Section 1, insert after the first sentence the following: Also, each jailer appointed or employed by the sheriff shall be entitled to a raise in his salary in the amount of \$10 per week.

Also, in Section 1, second sentence, insert after the word "deputy" the words "and jailer"

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | House | Perloff |
| Adwell | Drake | Jackson (F) | Sessions |
| Agee | Edington | Jones | Shumate |
| Bassett | Ellis | Kilgore | Slate |
| Berryman (R) | Fine | Lemley | Smith (C) |
| Berryman (W) | Foshee | Lybrand | Snodgrass |
| Blanton | Gafford | Malone | Springer |
| Bowers | Gloor | Marr | Starnes |
| Brannan | Graham | Mathews | Steagall |
| Burgreen | Grayson | Mays | Stembridge |
| Cameron | Hain | McElhaney | Stubbs |
| Cherner | Hardin | Meade | Waggoner |
| Collier | Harper | Merrill | Watkins |
| Cook (Jefferson) | Harris | Money | Williams |
| Crane | Higginbotham | Neville | Wright |
| Dill | Hill | Owen (Baldwin) | Yeilding |
| Dobbs | Hobbie | Owens (W) | Young |
| Doss | Holman | Pearson | |

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And said bill, H. 234, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|--------------|------------------|----------|--------------|
| Mr. Speaker | Burgreen | Downing | Grayson |
| Adwell | Cameron | Drake | Hain |
| Agee | Cherner | Edington | Hardin |
| Bassett | Collier | Ellis | Harper |
| Berryman (R) | Cook (Jefferson) | Fine | Harris |
| Berryman (W) | Crane | Foshee | Headley |
| Blanton | Dill | Gafford | Higginbotham |
| Bowers | Dobbs | Gloor | Hill |
| Brannan | Doss | Graham | Hobbie |

| | | | |
|-------------|---------------------------|-----------|------------|
| Holman | Mays | Perloff | Stembridge |
| House | McElhaney | Sessions | Stubbs |
| Jackson (F) | Meade | Shumate | Waggoner |
| Jones | Merrill | Slate | Watkins |
| Kilgore | Money | Smith (C) | Williams |
| Lemley | Neville | Snodgrass | Wright |
| Lybrand | Owen ^(Baldwin) | Springer | Yeilding |
| Malone | Owens (W) | Starnes | Young |
| Marr | Pearson | Steagall | |

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And the bill:

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

| | | | |
|-----------------------------|--------------|---------------------------|------------|
| Mr. Speaker | Downing | House | Pearson |
| Adwell | Drake | Jackson (F) | Perloff |
| Agee | Edington | Jones | Sessions |
| Bassett | Ellis | Kilgore | Shumate |
| Berryman (R) | Fine | Lemley | Slate |
| Berryman (W) | Foshee | Lybrand | Smith (C) |
| Blanton | Gloor | Malone | Snodgrass |
| Brannan | Graham | Marr | Springer |
| Burgreen | Grayson | Mathews | Starnes |
| Cameron | Hain | Mays | Stembridge |
| Cherner | Hardin | McElhaney | Stubbs |
| Collier | Harper | Meade | Waggoner |
| Collins (C) | Harris | Melton | Watkins |
| Cook ^(Jefferson) | Headley | Merrill | Williams |
| Crane | Higginbotham | Money | Wright |
| Crawford | Hill | Neville | Yeilding |
| Dill | Hobbie | Owen ^(Baldwin) | Young |
| Dobbs | Holman | Owens (W) | |

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:15 P. M. On April 20, 1967

H. 171

H. 173

H. 172

H. 182

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Mathews the House adjourned until Friday, April 28, 1967, at ten o'clock A. M.

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, April 26, 1967

The House did not meet today.

TWENTY-NINTH DAY

House of Representatives
Montgomery, Alabama
Thursday, April 27, 1967

The House did not meet today.

THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Friday, April 28, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. H. Swearingen, Retired Baptist Minister.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Pearson |
| Adwell | Downing | Jones | Pennington |
| Agee | Drake | Kilgore | Perloff |
| Bassett | Edington | Laxson | Pruitt |
| Beck | Ellis | Lemley | Sessions |
| Berryman (R) | Fine | Lybrand | Shumate |
| Berryman (W) | Foshee | Malone | Slate |
| Blanton | Gafford | Manley | Smith (C) |
| Bolton | Garrett | Marr | Smith (P) |
| Bowers | Gloor | Mathews | Snell |
| Brannan | Graham | Mays | Snodgrass |
| Brassell | Grayson | McCorquodale | Springer |
| Brown | Hain | McDonald | Starnes |
| Burgess | Hardin | McElhaney | Steagall |
| Burgreen | Harper | McLain | Stembridge |
| Cameron | Harris | Meade | Stubbs |
| Cherner | Haygood | Meeks | Tuck |
| Collier | Headley | Melton | Turnham |
| Collins (C) | Higginbotham | Merrill | Waggoner |
| Collins (W) | Hill | Money | Watkins |
| Cook (Coffee) | Hobbie | Neville | Weeks |
| Cook (Jefferson) | Hogan | Owen (Baldwin) | Williams |
| Crane | Holladay | Owens (W) | Wright |
| Culver | Holman | Owens (W.E.) | Yeilding |
| Dill | House | Paulk | Young |
| Dobbs | Jackson (F) | | |

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Culver leave of absence was granted to Mr. Bank. Mr. Bank is attending Governor's Day at the University of Alabama representing Tuscaloosa County.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

BILLS ON SECOND READING

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not

be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 229. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

MOTIONS TO RECESS

Mr. McDonald moved that the House recess until two o'clock P. M. this afternoon.

The substitute motion of Mr. Merrill that the House stand in informal recess for an indefinite time was lost.

Yeas 32; Nays 49.

Yeas:

| | | | |
|-------------|-------------|----------------|------------|
| Mr. Speaker | Fine | Mathews | Owens (W) |
| Beck | Foshee | Mays | Pennington |
| Blanton | Hain | McCorquodale | Pruitt |
| Brannan | Harper | Meade | Smith (C) |
| Brown | Holladay | Merrill | Steagall |
| Burgreen | Jackson (F) | Money | Tuck |
| Collier | Lemley | Neville | Watkins |
| Downing | Manley | Owen (Baldwin) | Williams |

—32

Nays:

| | | | |
|------------------|--------------|-------------|-----------|
| Messrs.: | Dobbs | Jackson (T) | Sessions |
| Adwell | Doss | Jones | Slate |
| Agee | Edington | Kilgore | Smith (P) |
| Bassett | Ellis | Laxson | Snodgrass |
| Berryman (W) | Gafford | Lybrand | Springer |
| Bowers | Graham | Malone | Starnes |
| Brassell | Grayson | Marr | Stubbs |
| Collins (C) | Hardin | McElhaney | Waggoner |
| Collins (W) | Harris | McLain | Weeks |
| Cook (Jefferson) | Higginbotham | Meeks | Wright |
| Crane | Hobbie | Pearson | Yeilding |
| Culver | Holman | Perloff | Young |
| Dill | House | | |

—49

The question was then on the motion of Mr. McDonald that the House recess until two o'clock P. M. this afternoon and the motion was lost.

Yeas 40; Nays 43.

Yeas:

| | | | |
|------------------|----------|-------------|-----------|
| Messrs.: | Dill | Holman | Pruitt |
| Adwell | Doss | House | Sessions |
| Beck | Downing | Jackson (T) | Slate |
| Bowers | Edington | Jones | Smith (P) |
| Brannan | Ellis | Kilgore | Springer |
| Cherner | Gafford | Lybrand | Starnes |
| Collins (C) | Graham | Marr | Stubbs |
| Collins (W) | Grayson | McElhaney | Waggoner |
| Cook (Jefferson) | Harris | McLain | Wright |
| Crane | Hobbie | Perloff | Yeilding |
| Culver | | | |

—40

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Fine | Laxson | Owens (W) |
| Agee | Foshee | Lemley | Pearson |
| Bassett | Garrett | Manley | Pennington |
| Berryman (W) | Hain | Mathews | Shumate |
| Blanton | Hardin | Mays | Smith (C) |
| Brassell | Harper | McCorquodale | Steagall |
| Brown | Haygood | Meade | Tuck |
| Burgreen | Headley | Merrill | Watkins |
| Collier | Higginbotham | Money | Weeks |
| Crawford | Holladay | Neville | Williams |
| Dobbs | Jackson (F) | Owen (Baldwin) | |

—43

The motion of Mr. Merrill that the House stand in informal recess for an indefinite time was lost.

Yeas 42; Nays 44.

Yeas:

| | | | |
|-------------|--------------|----------------|------------|
| Mr. Speaker | Garrett | Manley | Pennington |
| Beck | Graham | Mathews | Pruitt |
| Blanton | Grayson | Mays | Shumate |
| Brannan | Hain | McCorquodale | Slate |
| Brown | Harper | Meade | Smith (C) |
| Burgreen | Headley | Merrill | Smith (P) |
| Collier | Higginbotham | Money | Stembridge |
| Crawford | Holladay | Neville | Tuck |
| Downing | Jackson (F) | Owen (Baldwin) | Watkins |
| Fine | Laxson | Pearson | Williams |
| Foshee | Lemley | | |

—42

Nays:

| | | | |
|------------------|----------|-------------|----------|
| Messrs.: | Culver | Holman | Perloff |
| Adwell | Dill | House | Sessions |
| Agee | Dobbs | Jackson (T) | Springer |
| Bassett | Doss | Jones | Starnes |
| Berryman (W) | Edington | Kilgore | Steagall |
| Bowers | Ellis | Lybrand | Stubbs |
| Brassell | Gafford | Marr | Waggoner |
| Cherner | Hardin | McDonald | Weeks |
| Collins (C) | Harris | McElhaney | Wright |
| Collins (W) | Haygood | McLain | Yeilding |
| Cook (Jefferson) | Hobbie | Meeks | Young |
| Crane | | | |

—44

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Also:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Also:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

Also:

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Also:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Also:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Also:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Also:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Also:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 46. Urging Alabamians to plant family gardens to assist the economy of our Nation and its individuals.

Also:

H. J. R. 47. Commending the Honorable Richard (Dick) Beard, Commissioner of Agriculture and Industries, for his cooperation with the Public Administration Service and the Legislature of Alabama.

Also:

H. J. R. 49. Congratulating University of Alabama Football Coach Paul "Bear" Bryant upon his being named Citizen of The Year by the Alabama Broadcaster's Association.

Also:

H. J. R. 50. Encouraging the participation of all Alabamians in "Lurleen Wallace Day" in Tuscaloosa.

Also:

H. J. R. 51. Inviting Her Excellency, Governor Lurleen B. Wallace, to address a joint session of the Legislature on Thursday, March 30.

Also:

H. J. R. 53. Expressing appreciation to Dr. J. O. Finney, of Gadsden, Alabama, for his dedicated and outstanding service to humanity and the medical profession.

Also:

H. J. R. 54. Expressing regret upon the death of former State Senator Oliver E. Young of Vernon.

Also:

H. J. R. 55. Congratulating Sports Editor Charles Land, of the Tuscaloosa News, and Mr. Stan Siegal, Sports Editor of Radio Station WTBC, upon being named Alabama's most outstanding sportswriter and sportscaster.

Also:

H. J. R. 52. Designating the new gymnasium at Enterprise Junior College "Ray Lolley Gymnasium" in honor of Senator Ray Lolley.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 1. To authorize the Board of Revenue or like governing body of Autauga County to levy a privilege or license tax on persons, firms and corporations, selling, distributing, or delivering any malt or brewed beverages to retailers in Autauga County; to authorize the Board of Revenue or like governing body of Autauga County to collect the tax, and to authorize the Board of Revenue to make rules and regulations to govern enforcement and collection of the tax.

Also:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Also:

H. J. R. 21. Expressing confidence in Alabama education officials regarding a controversy concerning certain textbooks.

Also:

H. J. R. 48. Requesting full cooperation with any Congressional investigating committee seeking to show illegal practices engaged in by the Department of Health, Education and Welfare.

Also:

H. J. R. 60. Requesting the Department of Defense to establish an adequate and permanent National Cemetery System.

Also:

H. J. R. 61. Relative to the Legislature convening as a committee to conduct public hearings regarding public education in Alabama.

Also:

H. J. R. 62. Commending Attorney General MacDonald Gallion for inviting the Attorneys General of certain States to the State of Alabama.

Also:

H. J. R. 63. Relative to granting an extension of time to the Joint Interim Committee created pursuant to Senate Joint Resolution 3.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Also:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Also:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Also:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Also:

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Also:

H. J. R. 65. Relative to naming Senate Joint Resolution No. 10.

Also:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county

board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 80. Relative to adjournment.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

COMMITTEE APPOINTED

In accordance with the provisions of Senate Joint Resolution No. 13 heretofore concurred in and adopted, the Speaker appointed as a committee on the part of the House Messrs. Springer and Owens (W).

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 11. Applying to the federal government for a Constitutional Convention.

Also:

S. J. R. 28. Naming the library building at Alexander City State Junior College the "Thomas D. Russell Library".

Also:

S. J. R. 29. Condemning the activities of Harold Howe II as Commissioner of Education.

Also:

S. J. R. 32. Extending sympathy to Mr. and Mrs. James F. Nailen in the death of their son, James P. Nailen.

Also:

S. J. R. 33. Congratulating Bart Starr upon his long and successful football career.

Also:

S. J. R. 35. Commending Senator Lister Hill and Senator Sparkman for their distinguished careers in Congress.

Also:

S. J. R. 36. Saluting The Honorable Joseph R. Mitternacht on his eightieth birthday.

Also:

S. J. R. 37. Commending Dr. J. B. Davis of Mobile for his humanitarian deed.

Also:

S. J. R. 38. Mourning the death of the Honorable Charles S. Trimmer.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Also:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Also:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 40. Endorsing the University of South Alabama's effort to develop a major program of teaching and research in the Marine Sciences.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Also:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Also:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

Also:

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Also:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Also:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Also:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Also:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

Also:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Also:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Also:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

Also:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Also:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Also:

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Also:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Also:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Also:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Also:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Also:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Also:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its

member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Also:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Also:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Also:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Also:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Also:

H. 153. Relating to costs and fees in criminal cases providing for assessment of counsel fees as court costs in certain cases.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Also:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Also:

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Also:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Also:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 83. Commending the Alabama Public Library Service, the Cahaba Regional Library Board and the Clanton Library Board on the establishment of the new Cahaba Regional Library.

Also:

H. J. R. 84. Recognizing the week of April 24-29 as Alabama Industry Days.

Also:

H. J. R. 86. Extending sympathy to the family of Colonel William Shelton Pritchard, prominent attorney of Birmingham.

Also:

H. J. R. 87. Congratulating Honorable Roderick Beddow, of Birmingham on his recognition by the Lions Club on the occasion of Roderick Beddow Night.

Also:

H. J. R. 85. Mourning the death of Honorable Andrew J. Lewis, founder and President of Vulcan Life Insurance Company.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 82. Mourning the recent death of Honorable Guy W. Smith, outstanding educator of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 72. Requesting the Justice Department to bring prompt and effective action against Stokely Carmichael for sedition and treason.

Also:

H. J. R. 79. Mourning the death of Honorable J. Hollis Jackson, Mayor of Clanton, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 56. Condemning the activities of Harold Howe, Federal Commissioner of Education.

Also:

H. J. R. 57. Naming the library building at Alexander City State Junior College the Thomas D. Russell Library.

Also:

H. J. R. 69. Opposing the planned reorganization of the National Guard.

Also:

H. J. R. 70. Commending the student body of Auburn University on setting a world record for donating blood to our soldiers in Vietnam.

Also:

H. J. R. 73. Congratulating Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman.

Also:

H. J. R. 78. Naming S. J. R. 27 the Giles, Pennington, Jones, McLain, Laxson and Snodgrass Act.

Also:

H. J. R. 81. Extending a cordial welcome to Mr. Edward M. Lindsey, of Lawrenceburg, Tennessee, and commending him for his outstanding contributions to his area of the south and to Lions International.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Also:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Also:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Also:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Also:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Also:

H. 197. To provide for compensation of jurors in Russell County.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Merrill the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 49. To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Pennington moved that the House non-concur in the Senate amendments to the bill, H. 49, said Senate amendments being as follows:

AMENDMENT TO H. B. 49

Amend Section 6 by adding thereto the following:

"6 a. Any person who knowingly demands or receives any fee, compensation or reward or who demands or accepts directly or indirectly as payment or gift, or otherwise, any sum of money or other thing of value as an inducement or in return for the placement of any funds or for assistance either directly or indirectly in securing the placement of any monies of the State of Alabama in time deposit open accounts shall be guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than twelve months or fined not more than \$500, or both, and in the event the person convicted is an officer, agent or employee of the State of Alabama he shall be dismissed from office or discharged from employment."

Amendment to H. B. 49

Strike out Section 6 of the bill entirely and insert in lieu thereof the following:

Section 6. All State money deposited in State Depositaries in demand accounts and time deposit, open account shall be secured as required by Title 5, Section 119, as amended, and Title 55, Section 379, et seq., Alabama Code 1940; provided, however, that for amounts deposited in time deposit, open accounts and in demand accounts there may also be accepted as security for said deposits bonds and other securities issued by any agency or instrumentality of the United States of America; and any general obligation bonds or securities of any of the various states of the continental United States or any of their instrumentalities must have a rating of "A" or better by Moody's Investors Rating Services, Inc., New York City, or any successor firm to that corporation. Also, any general obligation bonds or warrants of any county or any municipality of the State of Alabama; also, warrants or securities of any county secured by a pledge of the special road, bridge and public building tax authorized by Article 11, Section 215 of the Constitution; also, bonds or warrants of any county or city board of education secured by a pledge of taxes levied under the authority of Constitutional Amendment III or any other constitutional amendment authorizing the levying of special ad valorem taxes for schools, or secured by a pledge of county or city sales taxes; also, any gasoline tax anticipation warrants secured by a pledge of gasoline tax revenues derived from the gasoline excise tax levied by the State and distributed to counties under Code 1940, Title 51, Section 655 or 657, as amended or under any law that may be enacted by the Legislature of Alabama in the event of the repeal of the said code section; also, electric, natural gas, sewer, and water revenue bonds issued by any municipality of the State of Alabama or any board created by or with the consent of any such municipality. To be eligible to secure state deposits, revenue or limited obligation bonds or warrants must have a current average annual debt service coverage of at least two times. No security shall be required for the amount of any deposit or account to the extent said deposit or account is insured by Federal Deposit Insurance Corporation.

Amendment to H. B. 49

In Section 2, add at the end thereof the following: The State Treasurer shall also take into consideration the reserve requirements prescribed by law relative to demand deposits and time deposits.

Amendment to H. B. 49

In Section 2, strike out the words and figures "with the advice of the Director of Finance"

Amendment to H. B. 49

In Section 4, strike out the last sentence and insert in lieu thereof the following: The annual rate of interest on time deposits, open account shall be seventy-five per cent of the average for the most recent four weeks of the prices of the ninety-one day United States treasury bill auction, provided the rate shall not exceed the maximum permitted by applicable banking regulations.

On motion of Mr. Pennington, the substitute motion of Mr. Snell that the House concur in and adopt the foregoing Senate amendments to the bill, H. 49, was laid upon the table.

Yeas 55; Nays 32.

Yeas:

| | | | |
|--------------|-------------|----------------|-----------|
| Mr. Speaker | Dill | Jackson (T) | Shumate |
| Adwell | Downing | Jones | Smith (C) |
| Berryman (R) | Drake | Kilgore | Smith (P) |
| Bowers | Ellis | Laxson | Snodgrass |
| Brannan | Fine | Lemley | Starnes |
| Brassell | Foshee | Mathews | Stubbs |
| Brown | Garrett | McDonald | Tuck |
| Burgess | Gloor | McLain | Turnham |
| Burgreen | Grayson | Melton | Waggoner |
| Cherner | Harper | Merrill | Weeks |
| Collier | Headley | Owen (Baldwin) | Williams |
| Collins (C) | Holman | Pennington | Wright |
| Crawford | House | Perloff | Yeilding |
| Culver | Jackson (F) | Pruitt | |

—55

Nays:

| | | | |
|------------------|--------------|--------------|------------|
| Messrs.: | Edington | Hobbie | Money |
| Agee | Gafford | Hogan | Owens (W) |
| Bassett | Graham | Holladay | Sessions |
| Blanton | Hain | Malone | Slate |
| Cameron | Hardin | Marr | Springer |
| Collins (W) | Harris | McCorquodale | Steagall |
| Cook (Jefferson) | Higginbotham | McElhaney | Stembridge |
| Dobbs | Hill | Meeks | Watkins |
| Doss | | | |

—32

The question was then on the motion of Mr. Pennington that the House non-concur in the Senate amendments to the bill, H. 49, heretofore set out, and said motion was adopted.

Yeas 60; Nays 23.

Yeas:

| | | | |
|--------------|---------|-------------|----------------|
| Mr. Speaker | Culver | Headley | Mays |
| Adwell | Dill | Hobbie | McDonald |
| Berryman (R) | Downing | Holman | McElhaney |
| Bowers | Drake | House | McLain |
| Brannan | Ellis | Jackson (F) | Melton |
| Brassell | Fine | Jackson (T) | Merrill |
| Burgess | Foshee | Jones | Owen (Baldwin) |
| Burgreen | Garrett | Kilgore | Pennington |
| Cherner | Gloor | Laxson | Perloff |
| Collier | Graham | Lemley | Pruitt |
| Crane | Grayson | Malone | Sessions |
| Crawford | Harper | Mathews | Shumate |

| | | | |
|-----------|---------|----------|----------|
| Smith (C) | Starnes | Turnham | Williams |
| Smith (P) | Stubbs | Waggoner | Wright |
| Snodgrass | Tuck | Weeks | Yeilding |

—60

Nays:

| | | | |
|-------------|------------------|--------------|------------|
| Messrs.: | Cook (Jefferson) | Hill | Owens (W) |
| Bassett | Dobbs | Holladay | Slate |
| Blanton | Doss | Marr | Springer |
| Brown | Gafford | McCorquodale | Steagall |
| Cameron | Hardin | Meeks | Stembridge |
| Collins (W) | Higginbotham | Money | Watkins |

—23

On motion of Mr. Pennington a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendments to the bill, H. 49.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Owen, Pennington and Smith (C).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the House concurred in and adopted the Senate amendment to the bill, H. 188, said Senate amendment being as follows:

Amendment to H. B. 188

By Mr. Clark:

Strike out all of Section 4 except the first sentence thereof.

Yeas 89; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collins (C) | Gloor | Kilgore |
| Adwell | Collins (W) | Graham | Laxson |
| Agee | Cook (Jefferson) | Hain | Lemley |
| Bassett | Crane | Hardin | Lybrand |
| Berryman (R) | Crawford | Harper | Malone |
| Berryman (W) | Culver | Harris | Marr |
| Blanton | Dill | Headley | Mathews |
| Bowers | Dobbs | Higginbotham | Mays |
| Brannan | Doss | Hill | McCorquodale |
| Brassell | Downing | Hobbie | McDonald |
| Brown | Drake | Holladay | McElhaney |
| Burgess | Edington | Holman | McLain |
| Burgreen | Ellis | House | Meeks |
| Cameron | Fine | Jackson (F) | Melton |
| Cherner | Foshee | Jackson (T) | Merrill |
| Collier | Gafford | Jones | Money |

| | | | |
|----------------|-----------|------------|----------|
| Neville | Shumate | Springer | Turnham |
| Owen (Baldwin) | Slate | Starnes | Waggoner |
| Pearson | Smith (C) | Steagall | Weeks |
| Pennington | Smith (P) | Stembridge | Williams |
| Perloff | Snell | Stubbs | Wright |
| Pruitt | Snodgrass | Tuck | Yeilding |
| Sessions | | | |

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 53. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Joint Interim Committee on Finance and Taxation created by Senate Joint Resolution No. 2, of the First Special Session, 1967, shall continue in existence until the 15th day of June, 1967, pursuant to all the terms and conditions contained in said Senate Joint Resolution No. 2, except the expiration date of said committee.

BE IT FURTHER RESOLVED that when the two houses adjourn on the legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May, 1967, they stand adjourned and in recess until 12:00 o'clock noon on the 13th day of June, 1967, without pay or expenses to the members except the expense allowance authorized by Senate Joint Resolution No. 4 of the First Special Session, 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 53 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

Yeas 42; Nays 52.

Yeas:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Drake | Mays | Pennington |
| Bassett | Fine | McCorquodale | Pruitt |
| Beck | Graham | McElhaney | Shumate |
| Berryman (R) | Hain | Meade | Slate |
| Berryman (W) | Hardin | Melton | Steagall |
| Brannan | Harper | Merrill | Stembridge |
| Brassell | Headley | Money | Tuck |
| Burgreen | Higginbotham | Neville | Turnham |
| Collier | Jackson (F) | Owen (Baldwin) | Williams |
| Crawford | Jones | Owens (W) | Young |
| Doss | Lemley | | |

—42

Nays:

| | | | |
|-------------|------------------|-------------|-----------|
| Messrs.: | Cook (Jefferson) | Gloor | Lybrand |
| Adwell | Crane | Grayson | Malone |
| Agee | Culver | Harris | Marr |
| Blanton | Dill | Hill | Mathews |
| Bowers | Dobbs | Hobbie | McLain |
| Brown | Downing | Hogan | Meeks |
| Burgess | Edington | Holman | Pearson |
| Cameron | Ellis | House | Perloff |
| Cherner | Foshee | Jackson (T) | Sessions |
| Collins (C) | Gafford | Kilgore | Smith (C) |
| Collins (W) | Garrett | Laxson | Smith (P) |

Snell
Snodgrass
Springer

Stubbs
Waggoner

Watkins
Weeks

Wright
Yeilding

—52

RESOLUTION

The following resolution was introduced:

By Messrs. Cherner, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Slate, Smith (C), Smith (P), Snell, Snodgrass, Springer, Starnes, Steagall, Stenbridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. J. R. 89. WHEREAS, the people of the State of Alabama are grieved by the sad news of the death of Representative Hugh Rowe Thomas on Tuesday, April 25, 1967; and

WHEREAS, during his tenure in the Legislature of Alabama, all too short though it was, Hugh Thomas established in the hearts and minds of his colleagues a position of unquestioned aggressiveness, devotion to duty and integrity; and

WHEREAS, this young businessman and civic leader, having already identified himself in the eyes of his home area of Tuscaloosa County as a most worthy and capable citizen, came to the 1967 Legislature with unique and commendable drive and determination to improve his State's government and to make Alabama a better State; and

WHEREAS, Hugh Thomas did learn the legislative processes of the State of Alabama with unparalleled speed, developed a remarkable insight into the issues of government, and displayed skillful ability to communicate his ideals and ambitions to his associates; and,

WHEREAS, Hugh Thomas was an ardent and able advocate of the plans, policies, and programs of the University of Alabama, as well as its staff and faculty, which he dearly loved; and

WHEREAS, the thought and prayers of the people of Alabama were with the family of Hugh Rowe Thomas at his untimely passing, and they sympathize deeply with his family for their great loss; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That this body expresses its deepest sorrow and extends its sincerest sympathy to his widow, Mrs. Gloria Thomas, his children, Hugh Thomas, Jr. and Lee Frances Thomas, his mother, Mrs. Frank Thomas, and all members of his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Gloria Thomas and Mrs. Frank Thomas and Family.

RESOLVED ALSO, That the Clerk of the House shall set aside a page in the House Journal of this session in loving memory of our departed colleague.

On motion of Mr. Cherner the rules were suspended and H. J. R. 89 was adopted.

D E D I C A T E D

I N

L O V I N G M E M O R Y O F

H O N O R A B L E H U G H R O W E T H O M A S

Member of The House of Representatives

From

Tuscaloosa County, Alabama

1967

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Berryman (R) the House concurred in and adopted the Senate amendments to the bill, H. 24, said Senate amendments being as follows:

Local Legislation No. 1 Committee Amendment to H. B. 24

Amend House Bill 24 as follows: Strike out the words three hundred dollars in line twelve (12) of Section 6, and in lieu thereof insert the words four hundred dollars.

Local Legislation No. 1 Committee Amendment to H. B. 24

Amend House Bill 24 as follows: Strike out the words and figures "one thousand two hundred dollars (\$1,200)" in line two and three of Section 5 and in lieu thereof insert the words and figures "one thousand eight hundred dollars (\$1,800)".

Amendment to H. B. 24 as amended

Strike out Section 20 of the bill entirely and insert in lieu thereof the following:

Section 20. This Act shall take effect July 1, 1967.

Yeas 86; Nay 1.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collins (C) | Garrett | Jackson (F) |
| Adwell | Collins (W) | Gloor | Jackson (T) |
| Agee | Cook (Jefferson) | Graham | Jones |
| Bassett | Crane | Grayson | Kilgore |
| Beck | Culver | Hain | Laxson |
| Berryman (R) | Dill | Hardin | Lemley |
| Berryman (W) | Dobbs | Harper | Malone |
| Bowers | Doss | Harris | Marr |
| Brannan | Downing | Headley | Mathews |
| Brassell | Drake | Higginbotham | Mays |
| Brown | Edington | Hill | McCorquodale |
| Burgess | Ellis | Hobbie | McElhaney |
| Cameron | Fine | Hogan | Meade |
| Cherner | Foshee | Holman | Meeks |
| Collier | Gafford | House | Melton |

| | | | |
|----------------|-----------|------------|----------|
| Merrill | Pruitt | Steagall | Watkins |
| Money | Sessions | Stembridge | Weeks |
| Neville | Slate | Stubbs | Williams |
| Owen (Baldwin) | Smith (C) | Tuck | Wright |
| Pearson | Smith (P) | Turnham | Yeilding |
| Pennington | Snodgrass | Waggoner | Young |
| Perloff | Starnes | | |

—86

Nay: Mr. Burgreen

—1

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Also:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Also:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor

or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

Also:

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Also:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Also:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Also:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Also:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

Also:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Also:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Also:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

Also:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Also:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Also:

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Also:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Also:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Also:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Also:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Also:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of

the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Also:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Also:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Also:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Also:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

Also:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties

of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Also:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Also:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Also:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Also:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Also:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Also:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Also:

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Also:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Also:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Also:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Also:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Also:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Also:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Also:

H. 197. To provide for compensation of jurors in Russell County.

Also:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 83. Relative to commending the Cahaba Regional Library.

Also:

H. J. R. 84. Recognizing April 24-29 as Alabama Industrial Days.

Also:

H. J. R. 86. Mourning the death of Colonel William Shelton Pritchard.

Also:

H. J. R. 87. Taking cordial note of the recognition and honor paid to Mr. Roderick Beddow on Roderick Beddow Night.

Also:

H. J. R. 85. Mourning the death of Mr. Andrew J. Lewis of Birmingham, Alabama.

Also:

H. J. R. 82. Expressing regret upon the death of Mr. Guy W. Smith, outstanding educator in Alabama.

Also:

H. J. R. 72. Commending Mr. Arthur Keeney for his action condemning one Stokely Carmichael.

Also:

H. J. R. 79. Mourning the death of Mayor Hollis Jackson of Clanton, Alabama.

Also:

H. J. R. 56. Relative to condemning the activities of Mr. Harold Howe, Commissioner of Education, in connection with the school systems of Alabama.

Also:

H. J. R. 57. Designating the library building at Alexander City State Junior College the Thomas D. Russell Library.

Also:

H. J. R. 69. Recommending the continuation and preservation of the 31st Division, making up the National Guard of Alabama.

Also:

H. J. R. 70. Commending the students of Auburn University for setting a world record in the donation of blood for use of American soldiers in Vietnam.

Also:

H. J. R. 73. Congratulating Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman.

Also:

H. J. R. 78. Naming Act No. 40, S. J. R. 27.

Also:

H. J. R. 81. Commending and welcoming to Alabama Mr. Edward M. Lindsey, of Lawrenceburg, Tennessee, President of Lions International.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

McDOWELL LEE,
Secretary.

Said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON S. B. NO. 23

We, the undersigned members of the Conference Committee on Senate Bill 23, beg leave to report that we have considered the bill and

we do hereby recommend to the House and Senate the attached substitute for Senate Bill 23.

Conferees on the part of the Senate
JACK GILES

O. J. GOODWYN

FRED C. FOLSOM

Conferees on the part of the House
HARRY L. PENNINGTON

L. D. OWEN, JR.

TOM DRAKE

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 23

We, the Committee of Conference appointed to reconcile the disagreement between the two Houses concerning S. B. 23, have met and considered the bill, as amended, and have agreed to the following:

1. We recommend that the following substitute for the bill be adopted by both Houses, to-wit:

Substitute for S. B. 23

A BILL TO BE ENTITLED AN ACT

To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

Be It Enacted by the Legislature of Alabama:

Section 1. All expenditure of funds of whatever nature for labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property, involving five hundred dollars (\$500.00) or more, made by or on behalf of any state trade school, state junior college, state college or university under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, except as hereinafter provided, shall be made under contractual agreement entered into by free and open competitive bidding, on sealed bids, to the lowest responsible bidder; provided, however, that in the event a bid is received for an item of personal property to be purchased or contracted for from a person, firm or corporation, deemed to be a responsible bidder, having a place of business within the county, where the awarding authority is the county

or an instrumentality thereof, or within the municipality, where the municipality or an instrumentality thereof is the awarding authority, which such bid is no more than 3% greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to such resident responsible bidder. In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, provided the negotiated price is lower than the bid price.

Section 2. Competitive bids shall not be required for utility services where no competition exists or where rates are fixed by law or ordinance; to the purchase of insurance; to the purchase of ballots and supplies for conducting any primary, general, special or municipal election; to contracts for the securing of services of attorneys, physicians, architects, teachers, superintendents of construction, artists, appraisers, engineers, consultants, certified public accountants, public accountants, or other individuals possessing a high degree of professional skill where the personality of the individual plays a decisive part; contracts of employment in the regular civil service; to purchases of products made or manufactured by the blind or visually handicapped under the direction or supervision of the Alabama Institute for Deaf and Blind in accordance with Act No. 542, approved September 9, 1955; to purchases of maps or photographs purchased from any federal agency; to purchases of manuscripts, books, maps, pamphlets or periodicals; to the selection of paying agents and trustees for any security issued by a public body; to contractual services and purchases of commodities for which there is only one vendor or supplier; to contractual services and purchases of personal property, which by their very nature are impossible of award by competitive bidding, nor shall this act apply to any purchases of products where the price of such products are already regulated and established by state law, nor to purchases made by individual schools of the county or municipal public school system from monies other than those raised by taxation or received through appropriations from state or county sources, nor to purchases for public hospitals and nursing homes operated by the governing boards of instrumentalities of the state, counties and municipalities. The said state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state shall establish and maintain such purchasing facilities and procedures as may be necessary to carry out the intent and purpose of this act by complying with the requirements for competitive bidding in the operation and management of each such state trade school, state junior college, state college or university under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions. Contracts entered into in violation of this act shall be void.

Section 3. No member or officer of the said state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, shall be financially interested, or have any personal beneficial interest, either directly or indirectly in the purchase of or contract of any personal property or contractual service. Nor

shall any person wilfully make any purchase or award any contract in violation of the provisions of this act. Any violation of this section shall be deemed a misdemeanor, and any person who violates this section shall, upon conviction, be imprisoned for not more than twelve (12) months or fined not more than five hundred dollars (\$500.00) or both. Upon conviction thereof, any person who wilfully makes any purchase or awards any contract in violation of the provisions of this act, shall be removed from office.

Section 4. Any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid at a fixed price or to refrain from bidding, or otherwise, shall render the bids of such bidders void and shall cause such bidders to be disqualified from submitting further bids to the awarding authority on future purchases. Whoever knowingly participates in a collusive agreement in violation of this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500.00) and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six (6) months.

Section 5. Any disclosure in advance of the terms of a bid submitted in response to an advertisement for bids shall render the proceedings void and require advertisement and award anew.

Section 6. All proposed purchases in excess of five hundred dollars (\$500.00) shall be advertised by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for such lengths of time as may be determined, provided, however, that sealed bids shall also be solicited by sending notice by mail to all persons, firms, or corporations who have filed a request in writing that they be listed for solicitation on bids for such particular items as are set forth in such request. If any person, firm, or corporation whose name is listed fails to respond to any solicitation for bids, after the receipt of three such solicitations, such listing may be cancelled. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents pertaining to the award of the contract shall be retained and made a part of a permanent file or records, and shall be open to public inspection. If the purchase or contract will involve an amount of five hundred dollars (\$500.00) or less, the purchases or contracts may be made upon the basis of sealed bids or in the open market. No purchase or contract involving an amount in excess of five hundred dollars (\$500.00) shall be divided into parts involving amounts of five hundred dollars (\$500.00) or less for the purpose of avoiding the requirements of this act. All such partial contracts involving five hundred dollars (\$500.00) or less shall be void.

Section 7. In case of emergency affecting public health, safety, or convenience, so declared in writing by the awarding authority, setting forth the nature of the danger to public health, safety, or convenience involved in delay, contracts may be let to the extent necessary to meet the emergency without public advertisement. Such action and the reasons therefor shall immediately be made public by the awarding authority.

Section 8. Bond in a responsible sum for faithful performance of the contract, with adequate surety, may be required in an amount specified in the advertisement for bids.

Section 9. When purchases are required to be made through competitive bidding, awards shall be made to the lowest responsible bidder taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges, and the dates of delivery. The awarding authority in the purchase of or contract for per-

sonal property or contractual services shall give preference, provided there is no sacrifice or loss in price or quality, to commodities produced in Alabama or sold by Alabama persons, firms, or corporations. The awarding authority or requisitioning agency shall have the right to reject any bid if the price is deemed excessive or quality of product inferior. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after award of the order or contract, be open to public inspection. Contracts for the purchase of personal property or contractual services shall be let for periods not greater than one year.

Section 10. Any taxpayer of the area within the jurisdiction of the awarding authority, and any bona fide unsuccessful bidder on a particular contract shall be empowered to bring a suit in equity in the appropriate court to enjoin execution of any contract entered into in violation of the provisions of this act.

Section 11. No contract awarded to the lowest responsible bidder shall be assignable by the successful bidder without written consent of the awarding authority. And in no event shall a contract be assigned to an unsuccessful bidder whose bid was rejected because he was not a responsible bidder.

Section 12. This act shall be cumulative in its nature; however, all conflicting provisions of law are hereby expressly repealed.

Section 13. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This act shall become effective on the first day of the second month next following its passage and approval by the Governor or its otherwise becoming a law.

Respectfully submitted,

Conferees on the part of the Senate
JACK GILES

O. J. GOODWYN

FRED C. FOLSOM

Conferees on the part of the House
HARRY L. PENNINGTON

L. D. OWEN, JR.

TOM DRAKE

SENATE MESSAGE

On motion of Mr. Pennington the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 23, said report being set out in the above and foregoing Message from the Senate.

Yeas 76; Nays 8.

Yeas:

| | | | |
|--------------|----------|----------|------------------|
| Mr. Speaker | Blanton | Brown | Collins (W) |
| Adwell | Bowers | Burgreen | Cook (Coffee) |
| Berryman (R) | Brannan | Cameron | Cook (Jefferson) |
| Berryman (W) | Brassell | Collier | Crane |

| | | | |
|----------|--------------|----------------|------------|
| Crawford | Headley | McElhaney | Smith (C) |
| Culver | Higginbotham | McLain | Smith (P) |
| Doss | Hill | Meade | Snodgrass |
| Drake | Hogan | Meeks | Springer |
| Edington | Holladay | Melton | Starnes |
| Ellis | Holman | Merrill | Steagall |
| Fine | House | Money | Stembridge |
| Foshee | Jackson (F) | Neville | Stubbs |
| Gafford | Jones | Owen (Baldwin) | Tuck |
| Garrett | Laxson | Pearson | Waggoner |
| Graham | Lybrand | Pennington | Watkins |
| Grayson | Malone | Perloff | Weeks |
| Hain | Marr | Pruitt | Williams |
| Harper | Mathews | Sessions | Wright |
| Harris | McDonald | Shumate | Young |

—76

Nays:

| | | | |
|----------|--------|-------------|----------|
| Messrs.: | Hardin | Jackson (T) | Snell |
| Bassett | Hobbie | Owens (W) | Yeilding |
| Dill | | | |

—8

And said bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

This bill does not affect any state revenues.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 75; Nays 4.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Drake | Jackson (F) | Pennington |
| Adwell | Edington | Jackson (T) | Perloff |
| Berryman (R) | Ellis | Jones | Pruitt |
| Berryman (W) | Fine | Laxson | Sessions |
| Blanton | Foshee | Lybrand | Shumate |
| Bowers | Gafford | Malone | Smith (C) |
| Brannan | Garrett | Marr | Smith (P) |
| Brassell | Graham | Mathews | Snodgrass |
| Brown | Grayson | McDonald | Springer |
| Burgreen | Hain | McElhaney | Starnes |
| Cameron | Harris | McLain | Steagall |
| Collier | Headley | Meade | Stubbs |
| Collins (W) | Higginbotham | Meeks | Tuck |
| Cook (Coffee) | Hill | Melton | Waggoner |
| Cook (Jefferson) | Hobbie | Merrill | Watkins |
| Crane | Hogan | Money | Williams |
| Crawford | Holladay | Neville | Wright |
| Culver | Holman | Owen (Baldwin) | Young |
| Doss | House | Pearson | |

—75

Nays:

Messrs.:
Bassett

Dill

Hardin

Yeilding

—4

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the bill, H. 207, said Senate amendment being as follows:

Substitute for H. B. 207

A BILL TO BE ENTITLED AN ACT

Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, the tax assessor, tax collector, sheriff and clerk of the circuit court shall each be entitled to receive three thousand dollars (\$3,000) per annum as an expense allowance for the operation of their respective offices. Such expense allowances shall be paid monthly in equal amounts out of any available monies in the general fund of the county.

Section 2. In all such counties the probate judge and the judge of the county court shall each be entitled to an allowance for expenses in the amount of \$4,200 per annum, which shall be payable from the general funds of the county in equal monthly installments. The allowances so provided shall be in lieu of any other expense allowance heretofore provided either of such officers.

Section 3. All laws and parts of laws in conflict with this Act are hereby repealed and the conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, are specifically repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. It shall expire as to each officer herein designated at the end of the present term of the incumbent officer.

Yeas 78; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | Jackson (F) | Pearson |
| Adwell | Doss | Jackson (T) | Perloff |
| Agee | Drake | Jones | Pruitt |
| Bassett | Ellis | Kilgore | Sessions |
| Berryman (R) | Fine | Laxson | Shumate |
| Berryman (W) | Foshee | Malone | Smith (C) |
| Blanton | Garrett | Marr | Smith (P) |
| Bowers | Graham | Mathews | Snodgrass |
| Brannan | Grayson | Mays | Springer |
| Brassell | Hain | McCorquodale | Steagall |
| Brown | Hardin | McElhaney | Stembridge |
| Burgreen | Harper | McLain | Stubbs |
| Cameron | Harris | Meade | Tuck |
| Collier | Headley | Meeks | Waggoner |
| Collins (C) | Higginbotham | Melton | Watkins |
| Collins (W) | Hill | Merrill | Weeks |
| Cook (Coffee) | Hobbie | Money | Williams |
| Cook (Jefferson) | Hogan | Neville | Wright |
| Crawford | Holman | Owen (Baldwin) | Yeilding |
| Culver | House | | |

—78

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Malone the House concurred in and adopted the Senate amendment to the bill, H. 200, said Senate amendment being as follows:

Amendment to H. B. 200

In Section 1, second paragraph, strike out the words and figures "thence deflect 145° 55' to the left" and insert "thence deflect 55° 55' to the left"

Yeas 83; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Jackson (F) | Pennington |
| Adwell | Dill | Jackson (T) | Perloff |
| Agee | Doss | Jones | Pruitt |
| Bassett | Drake | Kilgore | Sessions |
| Berryman (R) | Ellis | Laxson | Shumate |
| Berryman (W) | Fine | Lemley | Smith (C) |
| Blanton | Foshee | Malone | Smith (P) |
| Bowers | Graham | Marr | Snodgrass |
| Brannan | Grayson | Mathews | Springer |
| Brassell | Hain | Mays | Starnes |
| Brown | Hardin | McCorquodale | Steagall |
| Burgreen | Harper | McElhanev | Stembridge |
| Cameron | Harris | McLain | Stubbs |
| Cherner | Headley | Meade | Waggoner |
| Collier | Higginbotham | Meeks | Watkins |
| Collins (C) | Hill | Melton | Weeks |
| Collins (W) | Hobbie | Merrill | Williams |
| Cook (Coffee) | Hogan | Money | Wright |
| Cook (Jefferson) | Holladay | Neville | Yeilding |
| Crane | Holman | Owen (Baldwin) | Young |
| Crawford | House | Pearson | |

—83

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham the House concurred in and adopted the Senate amendment to the bill, H. 97, said Senate amendment being as follows:

FINANCE AND TAXATION COMMITTEE

AMENDMENT TO H. B. 97

AMEND H. B. 97 by adding at the end of Section I thereof the following:

"Notwithstanding the provisions of this Section and other Sections of the Teachers' Retirement System law, it is provided that the Alabama High School Athletic Association shall pay to the Retirement System the employer cost for coverage of its employees, such cost to be determined by actuary employed by the Board of Control and under rules and regulations established by said Board."

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pruitt |
| Adwell | Dobbs | Jackson (T) | Sessions |
| Agee | Doss | Jones | Shumate |
| Bassett | Drake | Kilgore | Slate |
| Berryman (R) | Ellis | Laxson | Smith (C) |
| Berryman (W) | Fine | Lybrand | Smith (P) |
| Blanton | Foshee | Malone | Snodgrass |
| Bowers | Garrett | Marr | Springer |
| Brannan | Graham | Mathews | Starnes |
| Brassell | Grayson | Mays | Steagall |
| Brown | Hain | McElhaney | Stembridge |
| Burgess | Hardin | Meade | Stubbs |
| Burgreen | Harper | Meeks | Tuck |
| Cameron | Harris | Melton | Turnham |
| Cherner | Headley | Merrill | Waggoner |
| Collier | Higginbotham | Money | Watkins |
| Collins (C) | Hill | Neville | Weeks |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Williams |
| Cook (Jefferson) | Hogan | Pearson | Wright |
| Crane | Holladay | Pennington | Yeilding |
| Crawford | Holman | Perloff | Young |
| Culver | | | |

—85

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Owens (W):

H. R. 90. WHEREAS, It has become apparent that the complexities of modern traffic control and movement are not being met by our present traffic laws; and

WHEREAS, The problems require study, and intensified efforts by all responsible persons, and

WHEREAS, The National Traffic Safety Act of 1966, has posed a large number of urgent problems and programs and

WHEREAS, The Legislature of Alabama recognizes the gravity of the traffic situation in Alabama, and proposes to meet the challenge posed thereby:

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the Speaker of the House create and establish a standing committee of the House of Representatives to be called the "Committee on Highway Traffic Safety" and appoint a chairman and such members thereof as he shall deem appropriate, and charge such committee with consideration of all proposed legislation affecting highway traffic, and vehicular safety.

On motion of Mr. Owens (W) the rules were suspended and H. R. 90 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

JOINT RESOLUTION CREATING AN INTERIM COMMITTEE

By Mr. Givhan:

S. J. R. 39. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution, and the tenth legislative day of the 1969 regular legislative session, which shall make a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1969 regular session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee.

The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work.

McDOWELL LEE,
Secretary.

On motion of Mr. Young the rules were suspended and the House concurred in and adopted the S. J. R. 39 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 230. To provide for closing county offices in Chilton County on Saturdays.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

| | | | |
|------------------|--------------|-------------|----------------|
| Mr. Speaker | Doss | House | Owen (Baldwin) |
| Adwell | Downing | Jackson (F) | Pearson |
| Agee | Drake | Jackson (T) | Pruitt |
| Berryman (R) | Edington | Jones | Sessions |
| Berryman (W) | Ellis | Kilgore | Shumate |
| Brannan | Fine | Laxson | Smith (C) |
| Burgess | Foshee | Lemley | Smith (P) |
| Burgreen | Graham | Lybrand | Snodgrass |
| Cameron | Grayson | Malone | Springer |
| Cherner | Hain | Marr | Starnes |
| Collier | Hardin | Mathews | Steagall |
| Collins (C) | Harper | Mays | Stubbs |
| Cook (Coffee) | Harris | McDonald | Tuck |
| Cook (Jefferson) | Headley | McElhaney | Turnham |
| Crane | Higginbotham | Meeks | Waggoner |
| Crawford | Hill | Melton | Williams |
| Culver | Hobbie | Merrill | Wright |
| Dill | Hogan | Money | Yeilding |
| Dobbs | Holman | Neville | Young |

—76

And the bill:

H. 237. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | House | Pearson |
| Adwell | Downing | Jackson (F) | Perloff |
| Agee | Drake | Jackson (T) | Pruitt |
| Bassett | Edington | Jones | Sessions |
| Berryman (R) | Ellis | Kilgore | Slate |
| Berryman (W) | Fine | Laxson | Smith (C) |
| Brannan | Foshee | Lemley | Smith (P) |
| Burgess | Graham | Lybrand | Snodgrass |
| Burgreen | Grayson | Malone | Springer |
| Cameron | Hain | Marr | Starnes |
| Cherner | Hardin | Mathews | Steagall |
| Collier | Harper | Mays | Stubbs |
| Collins (C) | Harris | McDonald | Tuck |
| Collins (W) | Headley | McElhaney | Turnham |
| Cook (Coffee) | Higginbotham | Meeks | Waggoner |
| Cook (Jefferson) | Hill | Melton | Williams |
| Crawford | Hobbie | Merrill | Wright |
| Culver | Hogan | Money | Yeilding |
| Dill | Holladay | Neville | Young |
| Dobbs | Holman | Owen (Baldwin) | |

—79

And the bill:

H. 238. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Dill | Holman | Pearson |
| Adwell | Dobbs | House | Perloff |
| Agee | Doss | Jackson (F) | Pruitt |
| Bassett | Downing | Jackson (T) | Sessions |
| Berryman (R) | Drake | Jones | Shumate |
| Berryman (W) | Edington | Kilgore | Slate |
| Blanton | Ellis | Laxson | Smith (C) |
| Brannan | Fine | Lemley | Smith (P) |
| Burgess | Foshee | Lybrand | Snodgrass |
| Burgreen | Graham | Malone | Springer |
| Cameron | Grayson | Marr | Starnes |
| Cherner | Hain | Mays | Steagall |
| Collier | Hardin | McDonald | Stubbs |
| Collins (C) | Harper | McElhaney | Tuck |
| Collins (W) | Harris | Meeks | Turnham |
| Cook (Coffee) | Headley | Melton | Waggoner |
| Cook (Jefferson) | Higginbotham | Merrill | Williams |
| Crane | Hill | Money | Wright |
| Crawford | Hobbie | Neville | Yeilding |
| Culver | Hogan | Owen (Baldwin) | Young |

—80

And the bill:

H. 239. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|--------------|
| Mr. Speaker | Collins (W) | Foshee | House |
| Adwell | Cook (Coffee) | Graham | Jackson (F) |
| Agee | Cook (Jefferson) | Grayson | Jackson (T) |
| Bassett | Crane | Hain | Jones |
| Berryman (R) | Crawford | Hardin | Kilgore |
| Berryman (W) | Culver | Harper | Laxson |
| Blanton | Dill | Harris | Lemley |
| Brannan | Dobbs | Headley | Lybrand |
| Burgess | Doss | Higginbotham | Malone |
| Burgreen | Downing | Hill | Marr |
| Cameron | Drake | Hobbie | Mays |
| Cherner | Edington | Hogan | McCorquodale |
| Collier | Ellis | Holladay | McDonald |
| Collins (C) | Fine | Holman | McElhaney |

| | | | |
|----------------|------------|-----------|----------|
| Meeks | Pennington | Smith (P) | Tuck |
| Melton | Perloff | Snodgrass | Turnham |
| Merrill | Pruitt | Springer | Williams |
| Money | Sessions | Starnes | Wright |
| Neville | Slate | Steagall | Yeilding |
| Owen (Baldwin) | Smith (C) | Stubbs | Young |
| Pearson | | | |

—81

And the bill:

H. 240. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jackson (F) | Pearson |
| Agee | Drake | Jackson (T) | Pennington |
| Bassett | Edington | Jones | Perloff |
| Berryman (R) | Ellis | Kilgore | Pruitt |
| Berryman (W) | Fine | Laxson | Sessions |
| Blanton | Foshee | Lemley | Slate |
| Brannan | Graham | Lybrand | Smith (C) |
| Burgess | Grayson | Malone | Smith (P) |
| Burgreen | Hain | Marr | Snodgrass |
| Cameron | Hardin | Mays | Springer |
| Cherner | Harper | McCorquodale | Starnes |
| Collier | Harris | McDonald | Steagall |
| Collins (C) | Headley | McElhaney | Stubbs |
| Collins (W) | Higginbotham | Meade | Tuck |
| Cook (Coffee) | Hill | Meeks | Turnham |
| Cook (Jefferson) | Hobbie | Melton | Waggoner |
| Crane | Hogan | Merrill | Williams |
| Crawford | Holladay | Money | Wright |
| Dill | Holman | Neville | Yeilding |
| Dobbs | House | Owen (Baldwin) | Young |
| Doss | | | |

—81

And the bill:

H. 241. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Was taken up.

Mr. Shumate offered the following amendment to the bill, H. 241:

In Section 1, strike out "six hundred dollars (\$600)" and insert "twelve hundred dollars (\$1,200)"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

| | | | |
|--------------|--------------|-------------|------------------|
| Mr. Speaker | Berryman (W) | Cameron | Cook (Coffee) |
| Adwell | Blanton | Cherner | Cook (Jefferson) |
| Agee | Brannan | Collier | Crane |
| Bassett | Burgess | Collins (C) | Crawford |
| Berryman (R) | Burgreen | Collins (W) | Culver |

| | | | |
|--------------|-------------|----------------|-----------|
| Dill | Hill | McCorquodale | Slate |
| Dobbs | Hobbie | McDonald | Smith (C) |
| Doss | Hogan | McElhaney | Smith (P) |
| Downing | Holladay | Meade | Snodgrass |
| Drake | Holman | Meeks | Springer |
| Edington | House | Melton | Starnes |
| Fine | Jackson (F) | Merrill | Steagall |
| Foshee | Jackson (T) | Money | Stubbs |
| Graham | Jones | Neville | Tuck |
| Grayson | Kilgore | Owen (Baldwin) | Turnham |
| Hain | Laxson | Pearson | Waggoner |
| Hardin | Lemley | Pennington | Williams |
| Harper | Lybrand | Perloff | Wright |
| Harris | Malone | Pruitt | Yeilding |
| Headley | Marr | Sessions | Young |
| Higginbotham | Mays | Shumate | |

—83

And said bill, H. 241, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Jackson (F) | Pearson |
| Adwell | Doss | Jackson (T) | Pennington |
| Agee | Downing | Jones | Perloff |
| Bassett | Drake | Kilgore | Pruitt |
| Berryman (R) | Edington | Laxson | Sessions |
| Berryman (W) | Ellis | Lemley | Shumate |
| Blanton | Fine | Lybrand | Slate |
| Brannan | Foshee | Malone | Smith (C) |
| Brown | Graham | Marr | Smith (P) |
| Burgess | Grayson | Mays | Snodgrass |
| Burgreen | Hain | McCorquodale | Springer |
| Cameron | Hardin | McDonald | Starnes |
| Cherner | Harper | McElhaney | Steagall |
| Collier | Harris | Meade | Stubbs |
| Collins (C) | Headley | Meeks | Tuck |
| Collins (W) | Higginbotham | Melton | Turnham |
| Cook (Coffee) | Hill | Merrill | Waggoner |
| Cook (Jefferson) | Hobbie | Money | Williams |
| Crane | Hogan | Neville | Wright |
| Crawford | Holladay | Owen (Baldwin) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |
| Dill | House | | |

—86

And the bill:

H. 242 (with amendment). Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 242 as follows:

Strike the whole of Section 2 as it appears in the bill and insert in lieu thereof the following:

"Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the Regular Session of the Legislature of Alabama of 1967. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940 as amended."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Doss | Jackson (T) | Pennington |
| Adwell | Downing | Jones | Perloff |
| Agee | Drake | Kilgore | Pruitt |
| Bassett | Edington | Laxson | Sessions |
| Berryman (R) | Ellis | Lemley | Shumate |
| Berryman (W) | Fine | Lybrand | Slate |
| Blanton | Foshee | Malone | Smith (C) |
| Brannan | Graham | Marr | Smith (P) |
| Brown | Grayson | Mays | Snodgrass |
| Burgess | Hain | McCorquodale | Springer |
| Burgreen | Hardin | McDonald | Starnes |
| Cameron | Harper | McElhaney | Steagall |
| Cherner | Harris | Meade | Stembridge |
| Collier | Headley | Meeks | Stubbs |
| Collins (C) | Higginbotham | Melton | Tuck |
| Collins (W) | Hill | Merrill | Turnham |
| Cook (Coffee) | Hobbie | Money | Waggoner |
| Cook (Jefferson) | Hogan | Neville | Williams |
| Crane | Holladay | Owen (Baldwin) | Wright |
| Crawford | Holman | Owens (W.E.) | Yeilding |
| Culver | House | Pearson | Young |
| Dobbs | Jackson (F) | | |

—86

And said bill, H. 242, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|--------------|------------------|--------------|-----------|
| Mr. Speaker | Cook (Coffee) | Hain | Kilgore |
| Adwell | Cook (Jefferson) | Hardin | Laxson |
| Bassett | Crane | Harper | Lemley |
| Berryman (R) | Crawford | Harris | Lybrand |
| Berryman (W) | Culver | Headley | Malone |
| Blanton | Dobbs | Higginbotham | Marr |
| Brannan | Doss | Hill | Mathews |
| Brown | Downing | Hobbie | Mays |
| Burgess | Drake | Hogan | McElhaney |
| Burgreen | Edington | Holladay | McLain |
| Cameron | Ellis | Holman | Meade |
| Cherner | Fine | House | Meeks |
| Collier | Foshee | Jackson (F) | Melton |
| Collins (C) | Graham | Jackson (T) | Merrill |
| Collins (W) | Grayson | Jones | Money |

| | | | |
|----------------|-----------|------------|----------|
| Neville | Sessions | Springer | Turnham |
| Owen (Baldwin) | Shumate | Starnes | Waggoner |
| Owens (W.E.) | Slate | Steagall | Williams |
| Pearson | Smith (C) | Stembridge | Wright |
| Pennington | Smith (P) | Stubbs | Yeilding |
| Perloff | Snodgrass | Tuck | Young |
| Pruitt | | | |

—85

And the bill:

H. 243. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Downing | Jackson (T) | Pennington |
| Adwell | Drake | Jones | Perloff |
| Agee | Edington | Kilgore | Pruitt |
| Bassett | Ellis | Laxson | Sessions |
| Berryman (R) | Fine | Lemley | Shumate |
| Berryman (W) | Foshee | Malone | Slate |
| Blanton | Graham | Marr | Smith (C) |
| Brannan | Grayson | Mathews | Smith (P) |
| Burgess | Hain | Mays | Snodgrass |
| Burgreen | Hardin | McCorquodale | Springer |
| Cameron | Harper | McDonald | Starnes |
| Cherner | Harris | McElhanev | Steagall |
| Collier | Headley | McLain | Stembridge |
| Collins (C) | Higginbotham | Meade | Stubbs |
| Collins (W) | Hill | Meeks | Tuck |
| Cook (Coffee) | Hobbie | Melton | Turnham |
| Cook (Jefferson) | Hogan | Merrill | Waggoner |
| Crane | Holladay | Money | Williams |
| Crawford | Holman | Owen (Baldwin) | Wright |
| Dill | House | Owens (W.E.) | Yeilding |
| Dobbs | Jackson (F) | Pearson | Young |
| Doss | | | |

—85

BILLS POSTPONED

On motion of Mr. Pruitt, consideration of the bills, H. 176, H. 177 and H. 178, was postponed until the next legislative day.

No objection being offered, the Speaker ordered consideration of the bills, H. 47 and H. 218, to be postponed until the next legislative day.

And the bill:

H. 184 (with amendment). To amend further Act No. 672, S. 99, Regular Session 1965, an act providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Agriculture, said committee amendment being as follows:

In Section 1, second paragraph, strike out the words and figures "There shall be established in the State of Alabama a Farmers' Market Authority with the power and duty to establish farmers' markets for the marketing of products of the farm, excluding cattle" and insert "There shall be established in the State of Alabama a Farmers' Market Authority with the power and duty to establish farmers' markets for the marketing of products of the farm, including feeder pigs but excluding cattle and hogs."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Downing | Jones | Owens (W.E.) |
| Adwell | Drake | Kilgore | Pearson |
| Agee | Edington | Laxson | Perloff |
| Bassett | Ellis | Lemley | Pruitt |
| Berryman (R) | Fine | Lybrand | Sessions |
| Berryman (W) | Foshee | Malone | Shumate |
| Brown | Graham | Marr | Slate |
| Burgess | Grayson | Mathews | Smith (C) |
| Burgreen | Hain | Mays | Smith (P) |
| Cameron | Harper | McCorquodale | Snodgrass |
| Cherner | Harris | McDonald | Springer |
| Collier | Headley | McElhaney | Starnes |
| Collins (W) | Higginbotham | McLain | Steagall |
| Cook (Coffee) | Hill | Meade | Stubbs |
| Cook (Jefferson) | Hobbie | Meeks | Tuck |
| Crane | Holladay | Melton | Turnham |
| Crawford | Holman | Merrill | Waggoner |
| Culver | House | Money | Wright |
| Dobbs | Jackson (F) | Neville | Yeilding |
| Doss | Jackson (T) | Owen (Baldwin) | Young |

—80

And said bill, H. 184, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 1.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Drake | Jones | Owens (W.E.) |
| Adwell | Ellis | Kilgore | Pearson |
| Berryman (R) | Fine | Laxson | Perloff |
| Berryman (W) | Foshee | Lemley | Pruitt |
| Blanton | Garrett | Lybrand | Sessions |
| Brown | Graham | Marr | Shumate |
| Burgess | Grayson | Mathews | Slate |
| Burgreen | Hain | Mays | Smith (C) |
| Cameron | Harper | McCorquodale | Smith (P) |
| Cherner | Harris | McDonald | Snodgrass |
| Collier | Headley | McElhaney | Starnes |
| Collins (W) | Higginbotham | McLain | Steagall |
| Cook (Coffee) | Hill | Meade | Stubbs |
| Cook (Jefferson) | Hobbie | Meeks | Tuck |
| Crane | Holladay | Melton | Turnham |
| Crawford | Holman | Merrill | Waggoner |
| Culver | House | Money | Wright |
| Dobbs | Jackson (F) | Neville | Yeilding |
| Doss | Jackson (T) | Owen (Baldwin) | Young |
| Downing | | | |

—77

Nay: Mr. Springer

—1

And the bill:

H. 231. To exempt ambulance service contracts from regulation as insurance.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 3.

Yeas:

| | | | |
|------------------|--------------|----------------|--------------|
| Mr. Speaker | Dobbs | Jackson (T) | Owens (W.E.) |
| Agee | Downing | Jones | Pearson |
| Bassett | Ellis | Kilgore | Perloff |
| Berryman (R) | Fine | Laxson | Pruitt |
| Berryman (W) | Foshee | Lemley | Shumate |
| Brannan | Graham | Lybrand | Smith (C) |
| Brown | Grayson | Malone | Smith (P) |
| Burgess | Hardin | Marr | Springer |
| Burgreen | Harris | Mays | Starnes |
| Cameron | Headley | McDonald | Steagall |
| Cherner | Higginbotham | McElhaney | Stembridge |
| Collier | Hill | Meade | Stubbs |
| Collins (W) | Hobbie | Meeks | Tuck |
| Cook (Jefferson) | Hogan | Melton | Turnham |
| Crane | Holman | Merrill | Waggoner |
| Crawford | House | Owen (Baldwin) | Wright |
| Culver | Jackson (F) | Owens (W) | |

—67

Nays:

| | | | |
|----------|-------|---------|-------|
| Messrs.: | Money | Neville | Slate |
|----------|-------|---------|-------|

—3

And the bill:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Was read a third time at length and passed.

Yeas 77; Nay 1.

Yeas:

| | | | |
|------------------|----------|--------------|----------------|
| Mr. Speaker | Crane | Headley | Marr |
| Adwell | Crawford | Higginbotham | Mathews |
| Agee | Culver | Hill | Mays |
| Bassett | Dill | Hobbie | McCorquodale |
| Berryman (W) | Dobbs | Hogan | McDonald |
| Bowers | Doss | Holladay | McElhaney |
| Brannan | Drake | Holman | McLain |
| Brown | Edington | House | Meade |
| Burgess | Ellis | Jackson (F) | Meeks |
| Burgreen | Fine | Jackson (T) | Melton |
| Cameron | Foshee | Jones | Merrill |
| Cherner | Graham | Laxson | Money |
| Collier | Grayson | Lemley | Owen (Baldwin) |
| Collins (W) | Harper | Lybrand | Owens (W) |
| Cook (Jefferson) | Harris | Malone | Owens (W.E.) |

Pearson
Perloff
Sessions
Shumate
Smith (C)

Smith (P)
Snodgrass
Springer
Starnes

Steagall
Stembridge
Stubbs
Tuck

Williams
Wright
Yeilding
Young

—77

Nay: Mr. Downing

—1

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Also:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Pennington the House recessed until five o'clock this afternoon.

SECOND AFTERNOON SESSION

The hour of five o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced.

By Mr. Ellis:

H. J. R. 91. WHEREAS Mr. J. Ernest Rice, prominent retired Birmingham businessman, and a member of families long influential in the development of this State, passed away on April 25, 1966 after having spent a lifetime of useful service to his community, friends and family. Mr. Rice was for many years instrumental in furthering every endeavor for the betterment of his city and was an inspiration to all who knew him; and

WHEREAS Mr. Rice is survived by his widow, Mrs. Ruth Thomas Rice of Birmingham and a daughter, Mrs. Pete B. Turnham of Auburn, wife of our beloved and esteemed colleague Representative Turnham; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the death of Mr. Rice, and extend our heartfelt sympathy to Mrs. Rice and to Mrs. Turnham, to whom copies of this resolution shall be sent.

On motion of Mr. Ellis the rules were suspended and H. J. R. 91 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:45 A. M. On April 28, 1967

H. 121

H. 137

H. 119

H. 139

H. 141

H. 143

H. 150

H. 154

H. 165

H. 161

H. 62

H. 71

H. J. R. 46

H. J. R. 47

H. J. R. 49

H. J. R. 50

H. J. R. 51

H. J. R. 53

H. J. R. 54

H. J. R. 55

H. J. R. 52

H. 1

H. 117

H. J. R. 21

H. J. R. 48

H. J. R. 60

H. J. R. 61

H. J. R. 62

H. J. R. 63

H. 185

H. 198

H. 203

H. 181

H. 55

H. J. R. 65

H. J. R. 80

H. 72

Delivered to the Secretary of State at 10:55 A. M. On April 28, 1967

H. 179

Delivered to the Governor at 4:00 P. M. On April 28, 1967

H. 7

H. 8

H. 12

H. 23

H. 31

H. 65

H. 108

H. 110

H. 118

H. 146

H. 148

H. 156

H. 163

H. 167

H. 169

H. 208

H. 209

H. 214

H. 54

H. 6

H. 3

H. 109

H. 174

H. 67

H. 15

H. 228

H. 213

H. 26
H. 153
H. 205
H. 222
H. 186
H. 206
H. 14
H. 189
H. 190
H. 191
H. 192
H. 193
H. 194
H. 195
H. 196
H. 197
H. J. R. 83
H. J. R. 84
H. J. R. 86
H. J. R. 87
H. J. R. 85
H. J. R. 82
H. J. R. 72
H. J. R. 79
H. J. R. 56
H. J. R. 57
H. J. R. 69
H. J. R. 70
H. J. R. 73
H. J. R. 78
H. J. R. 81
H. 188
H. 233
H. 200

Delivered to the Secretary of State at 4:03 P. M. On April 28, 1967
H. 58

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Slate the House adjourned until Monday, May 1, 1967, at ten o'clock A. M.

THIRTY-FIRST DAY

House of Representatives
 Montgomery, Alabama
 Monday, May 1, 1967

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Dill | House | Pearson |
| Adwell | Dobbs | Jackson (F) | Pennington |
| Agee | Doss | Jackson (T) | Perloff |
| Bank | Downing | Jones | Pruitt |
| Bassett | Drake | Kilgore | Sessions |
| Beck | Edington | Laxson | Shumate |
| Berryman (R) | Ellis | Lemley | Slate |
| Berryman (W) | Fine | Lybrand | Smith (C) |
| Blanton | Foshee | Malone | Smith (P) |
| Bolton | Gafford | Manley | Snell |
| Bowers | Garrett | Marr | Snodgrass |
| Brannan | Gloor | Mathews | Springer |
| Brassell | Graham | Mays | Starnes |
| Brown | Grayson | McCorquodale | Steagall |
| Burgess | Hain | McDonald | Stembridge |
| Burgreen | Hardin | McElhaney | Stubbs |
| Cameron | Harper | McLain | Tuck |
| Cherner | Harris | Meade | Turnham |
| Collier | Haygood | Meeks | Waggoner |
| Collins (C) | Headley | Melton | Watkins |
| Collins (W) | Higginbotham | Merrill | Weeks |
| Cook (Coffee) | Hill | Money | Williams |
| Cook (Jefferson) | Hobbie | Neville | Wood |
| Crane | Hogan | Owen (Baldwin) | Wright |
| Crawford | Holladay | Owens (W) | Yeilding |
| Culver | Holman | Owens (W.E.) | Young |

A quorum was present.

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

RANKIN FITE,
 Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

BILLS ON THIRD READING

H. 229. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Doss | Jones | Perloff |
| Adwell | Downing | Kilgore | Pruitt |
| Agee | Edington | Laxson | Sessions |
| Bank | Ellis | Lemley | Smith (C) |
| Beck | Fine | Lybrand | Smith (P) |
| Berryman (R) | Foshee | Malone | Snodgrass |
| Berryman (W) | Gloor | Manley | Springer |
| Bowers | Graham | Marr | Starnes |
| Brown | Harper | Mays | Steagall |
| Burgess | Harris | McElhaney | Stubbs |
| Cameron | Headley | Meade | Tuck |
| Collier | Higginbotham | Meeks | Waggoner |
| Collins (W) | Hill | Melton | Williams |
| Cook (Jefferson) | Holman | Merrill | Wood |
| Crane | House | Owen (Baldwin) | Wright |
| Culver | Jackson (F) | Owens (W) | Yeilding |
| Dill | Jackson (T) | Pearson | Young |
| Dobbs | | | |

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BILLS TEMPORARILY POSTPONED

No objection being offered, the Speaker ordered consideration of the bills, H. 47 and H. 218, to be temporarily postponed.

And the bill:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such cor-

poration, to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

| | | | |
|------------------|--------------|----------------|-----------|
| Mr. Speaker | Downing | Lemley | Perloff |
| Adwell | Edington | Lybrand | Pruitt |
| Agee | Ellis | Malone | Sessions |
| Bank | Fine | Manley | Smith (C) |
| Beck | Foshee | Marr | Smith (P) |
| Berryman (R) | Gloor | Mathews | Snodgrass |
| Berryman (W) | Graham | Mays | Springer |
| Bowers | Harper | McDonald | Starnes |
| Burgess | Harris | McElhaney | Steagall |
| Cameron | Headley | McLain | Stubbs |
| Collier | Higginbotham | Meade | Tuck |
| Collins (W) | Hill | Meeks | Waggoner |
| Cook (Jefferson) | Holman | Melton | Weeks |
| Crane | House | Merrill | Williams |
| Culver | Jackson (T) | Owen (Baldwin) | Wood |
| Dill | Jones | Owens (W) | Wright |
| Dobbs | Kilgore | Pearson | Yelding |
| Doss | Laxson | Pennington | Young |

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances

for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Also:

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Merrill the House recessed until two o'clock this afternoon.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolution, your signature thereto is requested:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Also:

S. J. R. 39. Creating a joint interim committee on agriculture.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and laundrettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 89. Mourning the death of Honorable Hugh Rowe Thomas, Representative from Tuscaloosa County.

Also:

H. J. R. 91. Mourning the death of Honorable J. Ernest Rice, prominent retired Birmingham businessman.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Mathews the House recessed until four o'clock this afternoon.

SECOND AFTERNOON SESSION

The hour of four o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RECESS

On motion of Mr. Steagall the House recessed until eight o'clock this evening.

EVENING SESSION

The hour of eight o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RECESS

On motion of Mr. Owen the House recessed until nine o'clock this evening.

SECOND EVENING SESSION

The hour of nine o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Marr:

H. R. 92. WHEREAS, Dr. Frederick P. Whiddon, President of the University of South Alabama, Mobile, Alabama, appeared before the Committee as the Whole of the Legislature to testify at the public hearing; and

WHEREAS, Dr. Whiddon was well informed on the subject before the Committee; and

WHEREAS, Dr. Whiddon is an outstanding higher education leader and reflects credit on the University of South Alabama as well as the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That this body appreciates Dr. Whiddon's assistance and testimony to the Joint House and Senate Committee as the Whole.

BE IT FURTHER RESOLVED That this body appreciates Dr. Whiddon's outstanding leadership and accomplishments as President of the University of South Alabama since its creation in 1963 and that a copy be sent to Dr. Whiddon.

On motion of Mr. Marr the rules were suspended and H. R. 92 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Also:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Also:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Also:

H. J. R. 89. Mourning the death of Representative Hugh Rowe Thomas of Tuscaloosa.

Also:

H. J. R. 91. Expressing regret upon the death of Mr. J. Ernest Rice, of Birmingham, the father-in-law of Representative Pete B. Turnham.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Was taken up.

RECESS

On motion of Mr. Cherner the House recessed for fifteen minutes. The House reconvened. The Speaker called the House to order.

FURTHER CONSIDERATION OF SENATE AMENDMENT TO H. 220

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Was again taken up.

On motion of Mr. Pennington the House concurred in and adopted the Senate amendment to the bill, H. 220, said Senate amendment being as follows:

Substitute for H. B. 220

A BILL TO BE ENTITLED AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the meanings hereinafter respectively ascribed to them.

"Base annual county distribution" means \$550,000.

"Cost of collection" means the amounts from the proceeds of the highway gasoline tax that may be appropriated by the Legislature to the Department of Revenue for its operating expenses.

"County" means each county in the state.

"Fiscal year" means a fiscal year of the state.

"Highway department" means the highway department of the state.

"Highway gasoline tax" means (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel.

"Local subdivisions' share of the net tax proceeds" means the fifty-five per centum of the net tax proceeds referred to in the first sentence of Section 4 hereof, less any portion thereof that may at any time be used upon the occurrence of the contingency referred to in subsection (a) of the said Section 4.

"Municipality" means an incorporated city or town in the state.

"Net tax proceeds" means the entire proceeds from the highway gasoline tax less the cost of collection and less any refunds of the said proceeds pursuant to the provisions of Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, or pursuant to the provisions of Act No. 743 adopted at the 1957 Regular Session of the Legislature, as amended.

"State" means the State of Alabama.

"State's share of the net tax proceeds" means the forty-five per centum of the net tax proceeds referred to in the first sentence of Section 3 hereof.

"Public Highway" means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term 'public highway' shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public.

The foregoing definitions shall be deemed applicable whether the words or phrases defined are used in the singular or plural.

Section 2. Legislative Intent. It is the intention of the Legislature by the enactment of this act to appropriate funds to pay the principal of and interest on bonds heretofore or hereafter issued for the purpose of constructing highways and bridges in the state, to appropriate funds for other highway and bridge purposes, and to provide a program for road and street purposes of the counties and municipalities. This act shall be liberally construed to effect the said purposes.

Section 3. Distribution of Forty-Five Per Centum of the Net Tax Proceeds. Forty-five per centum (45%) of the net tax proceeds is hereby allocated and appropriated for state highway purposes and as

the state's share of the net tax proceeds. The said forty-five per centum (45%) of the net tax proceeds shall be covered into the state treasury to the credit of the public road and bridge fund and shall be disbursed as hereinafter provided in this section.

(a) A portion of the state's share of the net tax proceeds that is equal in amount to two-sevenths (equivalent to six twenty-firsts) of the net tax proceeds shall be disbursed for the following purposes and in the order hereinafter set forth in this paragraph: (1) so much thereof as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued under the provisions of the amendment to the constitution of Alabama that was proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature (sometimes referred to as Amendment LXXXVII), the final maturity of which bonds is April 1, 1969; and (2) so much thereof thereafter remaining as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by Alabama Highway Authority, a public corporation organized and existing under the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature, in the order in which the said two-sevenths of the net tax proceeds were pledged for the said bonds.

(b) A portion of the state's share of the net tax proceeds that is equal in amount to two twenty-firsts of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by the said Alabama Highway Authority, in the order in which the said two twenty-firsts of the net tax proceeds were pledged for the said bonds.

(c) A portion of the state's share of the net tax proceeds that is equal in amount to one twenty-first of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued by the said Alabama Highway Authority after March 1, 1959, and prior to March 1, 1967, in the order in which the said one twenty-first of the net tax proceeds were pledged for the said bonds.

(d) The residue of the state's share of the net tax proceeds remaining after provision shall have been made, out of the aforesaid nine twenty-firsts (9/21) of the net tax proceeds, for payment of the obligations referred to in the foregoing paragraphs (a), (b) and (c) of this section, shall be disbursed for the following purposes, in the following order, and to the extent necessary therefor:

(1) For payment at their respective maturities of the principal of and interest on bonds issued after March 1, 1967, by the said Alabama Highway Authority, to such extent and to such extent only as the portion of the motor vehicle license taxes and registration fees provided in Section 713 of Title 51 of the Code of Alabama of 1940, as amended, to be used for the payment of the principal of and interest on the bonds issued after March 1, 1967, by the said Alabama Highway Authority should be insufficient to pay the said principal and interest at their respective maturities;

(2) For payment at their respective maturities of the bonds issued under Act No. 228 adopted at the 1965 Regular Session of the Legislature by Alabama Highway Finance Corporation, a public corporation organized and existing under the said Act No. 228;

(3) For allocation on September 30 of each fiscal year to each county, to which allocation shall have been made under the provisions of Section 4(b) of this act during such fiscal year less than the base

annual county distribution, of such sum as, when added to the amounts so allocated to that county under the said Section 4(b), will equal the base annual county distribution; provided, that no allocation to any county shall be made under the provisions of this paragraph after the fiscal year ending September 30, 1971; and

(4) For apportionment on September 30 of each fiscal year among the counties to which no allocation shall have been made for that fiscal year on that day pursuant to the foregoing clause (3) of this paragraph (d) of a sum equal to the difference between (i) the total amount that would have been allocated on the same day under the said clause (3) if the base annual county distribution had been \$590,000 and (ii) the amount that was actually allocated on that day under the said clause (3), the said sum apportioned pursuant to the provisions of this clause (4), to be so apportioned on the basis of the ratio of the population of each county to which an apportionment is made under this clause (4) to the total population of all counties to which an apportionment is made under this clause (4) or any special federal census heretofore held in any county subsequent to the effective date of the 1960 federal decennial census. The state's share of the net tax proceeds paid into the public road and bridge fund and not required for any of the purposes hereinabove referred to may be withdrawn by the highway department and used by it for highway purposes.

Each reference in this section to September 30 in any fiscal year shall be deemed to refer to the last business day of that fiscal year.

Section 4. Disposition of Fifty-Five Per Centum of the Net Tax Proceeds. Fifty-five per centum (55%) of the net tax proceeds is hereby allocated and appropriated to be used for highway purposes by the counties and municipalities. The said fifty-five per centum (55%) of the net tax proceeds shall be covered into the state treasury and shall be disbursed and allocated as hereinafter provided in this section.

(a) In the event that the portion of the net tax proceeds provided in Section 3(d) (2) of this act to be used for payment of the principal of and interest on the bonds issued by the said Alabama Highway Finance Corporation should be insufficient to pay the said principal and interest at their respective maturities, then in that event and only to the extent of the said insufficiency, a portion of the net tax proceeds allocated and appropriated under this section, not exceeding in amount one-seventh of the entire net tax proceeds, shall be disbursed for payment of such principal and interest at their respective maturities.

(b) Subject to the contingent appropriation contained in paragraph (a) of this section, the said fifty-five per centum (55%) of the net tax proceeds shall be allocated as follows:

(1) A portion of the local subdivisions' share of the net tax proceeds that is equal to twenty-five per centum (25%) of the net tax proceeds shall be allocated equally among the sixty-seven counties of the state.

(2) The entire residue of the local subdivisions' share of the net tax proceeds (being an amount equal to thirty per centum (30%) of the net tax proceeds less any amount paid pursuant to the contingent appropriation in subsection (a) of this section) shall be allocated among the sixty-seven counties of the state on the basis of the ratio of the population of each such county to the total population of the state according to the then next preceding federal decennial census or any special federal census heretofore held in any county subsequent to the effective date of the 1960 federal decennial census. The allocation provided for in this paragraph (b) shall be made on or prior to the tenth day of each month with respect to receipts of the highway gasoline tax by the state during the preceding month.

Section 5. Disposition of Sums Allocated and Apportioned to Counties. The amounts allocated or apportioned to each county pursuant to each of Sections 3 and 4 of this act shall be disposed of as follows: (a) Ten per centum (10%) of the amount so allocated or apportioned to each county shall be allocated among the municipalities in the county with respect to which the allocation or apportionment is made, each such allocation among the said municipalities to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (b) the remaining portion of the amount so allocated or apportioned to each county shall be distributed to the county with respect to which such allocation or apportionment is made.

The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. Any municipality incorporated after September 30, 1967, shall not participate in the allocation provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated, the first allocation to such municipality to be made in respect of receipts of the highway gasoline tax by the State during October of the fiscal year next succeeding the said incorporation.

Before any distribution is made to a municipality of the amounts allocated to it under the provisions of the foregoing clause (a) in this section, there shall be presented by the applicable municipality to the highway department a plan or plans for the use of the moneys so allocated to such municipality, and the highway department shall make such payment upon requisition by the municipality of moneys for the project with respect to which such plans are so presented to it. The highway department may offer the services and advice of its engineers and other employees with respect to the said plans when requested so to do by the municipality, but shall not have the right to refuse to pay any such requisition by the municipality so long as the project with respect to which the said plans are presented shall embrace only those purposes set out in Section 7 (c) of this act for which the funds allocated to the municipality by this act may be expended. Any funds allocated to a municipality by this act which shall not be requisitioned for withdrawal by such municipality pursuant to the provisions of this paragraph within two years after allocation shall thereupon be paid to the county in which such municipality is located.

Section 6. Effective Date of Census. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

Section 7. Use of Net Tax Proceeds for Highway Purposes. Wherever in this act any portion of the net tax proceeds is provided to be applied or used for highway purposes, the same shall be used as follows:

(a) Where the use is by the highway department, such use shall, with the approval of the Governor, be for the construction of public roads and bridges in the state, the maintenance of public roads and bridges at any time constructed by the highway department, the equipment and preparation of convicts for use upon the public roads and bridges in the state, the maintenance of such convicts while at work upon such roads and bridges, the compensation to the state for the said use of such convicts, and for such other public road and bridge purposes in the state as may be authorized by the highway department with the approval of the Governor;

(b) Where the use is by a county, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the net tax proceeds were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act No. 838 adopted at the 1953 Regular Session of the Legislature.

(c) Where the use is by a municipality, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of roads, bridges, streets and other public ways in accordance with the plan or plans presented by the applicable municipality to the highway department for the use of the moneys so allocated to the municipality, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the net tax proceeds were or may be lawfully pledged; provided, that no part of the net tax proceeds referred to in this section shall be expended contrary to the provisions of the constitution.

Section 8. State Treasurer to make Allocations and Distributions. The State Treasurer shall make all allocations of the tax proceeds, and shall make the distributions and payments thereof pursuant to such allocations, provided for in this act.

Section 9. Repeal of Conflicting Laws. Sections 655, 656, and 657 of Title 51 of the Code of Alabama of 1940, as amended, are hereby repealed in their entirety. All other laws or parts of laws in conflict with this act are, to the extent of such conflict, also hereby repealed.

Section 10. Preservation of Prior Pledges. It is the intention of the Legislature in enacting this act to preserve inviolate all pledges heretofore made pursuant to law of any portion of the proceeds derived from the highway gasoline tax (a) for the benefit of those bonds now outstanding that are referred to in Section 3 of this act, or (b) for the benefit of securities now outstanding that were issued pursuant to law by any county or municipality.

Section 11. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 12. Effective Date. This act shall become effective on October 1, 1967.

Yeas 74; Nays 24.

Yeas:

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|--------------|------------------|--------------|-------------|
| Messrs.: | Burgess | Ellis | House |
| Adwell | Burgreen | Gafford | Jackson (T) |
| Agee | Cameron | Gloor | Jones |
| Bank | Cherner | Grayson | Kilgore |
| Beck | Collins (W) | Hain | Laxson |
| Berryman (R) | Cook (Coffee) | Harper | Lybrand |
| Berryman (W) | Cook (Jefferson) | Harris | Marr |
| Blanton | Crane | Haygood | Mathews |
| Bolton | Crawford | Higginbotham | Mays |
| Bowers | Culver | Hill | McDonald |
| Brannan | Downing | Hobbie | McElhaney |
| Brassell | Drake | Hogan | McLain |
| Brown | Edington | Holman | Meeks |

| | | | | |
|----------------|-----------|------------|----------|-----|
| Merrill | Sessions | Starnes | Watkins | |
| Money | Shumate | Steagall | Weeks | |
| Owen (Baldwin) | Smith (C) | Stembridge | Wood | |
| Pennington | Smith (P) | Stubbs | Yeilding | |
| Perloff | Snodgrass | Turnham | Young | |
| Pruitt | Springer | Waggoner | | —74 |

Nays:

| | | | | |
|-------------|---------|--------------|-----------|-----|
| Mr. Speaker | Fine | Holladay | Melton | |
| Bassett | Foshee | Jackson (F) | Owens (W) | |
| Collier | Garrett | Lemley | Pearson | |
| Dill | Graham | Malone | Slate | |
| Dobbs | Hardin | McCorquodale | Williams | |
| Doss | Headley | Meade | Wright | —24 |

RESOLUTION

The following resolution was introduced:

By Mr. Garrett:

H. J. R. 93. Be it resolved by the House of Representatives the Senate concurring that the hour of midnight now having passed on the first day of May 1967, that the legislature be now adjourned *Sine die*.

H. J. R. 93 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pennington the House concurred in and adopted the Senate amendment to the bill, H. 22, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama ("the 1959 Act") and by Act No. 26 adopted at the First Special Session of 1963 of the Legislature of Alabama ("the 1963 Act"), or any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolu-

tions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Governor of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said approval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said

principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds, but no fees for fiscal agents or financial consultants, nor to any attorney other than the counsel rendering the unqualified legal opinion on the bonds issued by the corporation under this act, shall be paid. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof), the proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construc-

tion, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States before being applied for other highway and bridge purposes; and provided, also, that not more than one hundred thirty million dollars (\$130,000,000) of the proceeds of the bonds is required to be used exclusively for paying the state's share or for matching federal funds allocated or apportioned to the state for use in construction, reconstruction and improvement of public highways and bridges. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(a) So much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle license taxes and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of Section 713 of Title 51 of the Code of Alabama of 1940, as amended; and

(b) To such extent and to such extent only as the revenues appropriated under the foregoing subsection (a) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the said subsection (a)] of that portion of the state's share of the net tax proceeds of the highway gasoline tax that is referred to and appropriated to the corporation in Section 3(d) (1) of the act that was introduced in the Legislature as House Bill 220 and was enacted at the Extraordinary Session of the Legislature that convened on March 2, 1967 (herein called "the gasoline tax appropriation act"); and

(c) To such extent and to such extent only as the revenues appropriated under the foregoing subsections (a) and (b) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the foregoing subsections (a) and (b)] of (1) the entire proceeds from the excise tax levied by Act No. 590 adopted at the 1939 Regular Session of the Legislature, as amended, on distributors and storers of motor fuel, as therein defined, remaining after payment of the costs of collection thereof, and (2) the entire proceeds from the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended (exclusive of that portion of the said tax in respect of gasoline), remaining after payment of the costs of collection thereof (the term "cost of collection,"

as used in this subsection (c), meaning that portion of the excise taxes referred to in this subsection that may be appropriated by the Legislature to the Department of Revenue for its operating expenses; and the proceeds from the said taxes remaining after costs of collection being herein called "the net proceeds from the motor fuel tax"). All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The terms "state's share of the net tax proceeds," "net tax proceeds," and "highway gasoline tax," wherever used in this act, shall be deemed to have the meanings given those terms as defined in the gasoline tax appropriation act.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest that will mature with respect to that series of the bonds during any fiscal year of the state, when added to the total principal and interest that will mature during the same fiscal year on (a) those bonds issued under that certain Amendment to the Constitution of Alabama proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature of Alabama (sometimes referred to as Amendment LXXXVII), the last of which will mature April 1, 1969, (b) those bonds of the corporation then outstanding that were issued under the 1955 Act, the 1959 Act, the 1963 Act, or this act, and (c) those bonds then outstanding that were issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the state's share of the net tax proceeds from the highway gasoline tax referred to in Section 3 of the gasoline tax appropriation act collected by the state during the fiscal year next preceding the fiscal year during which are issued the series of the bonds proposed to be issued, (2) an amount equal to the net proceeds from the motor fuel tax collected during the fiscal year next preceding the fiscal year during which are issued the series of the bonds then proposed to be issued, and (3) whichever of the following shall be applicable: (i) if any series of the bonds is issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to Section 713 of Title 51 of the Code of Alabama of 1940, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, or (ii) if any series of the bonds is issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, if the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle license taxes and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the state's share of the net tax proceeds from the highway gasoline tax, the amount of the net proceeds from the motor fuel tax, and the amounts referred to in the foregoing clause (3) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the state.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 9 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Yeas 86; Nays 12.

Yeas:

| | | | |
|------------------|--------------|----------------|------------|
| Mr. Speaker | Culver | Jackson (T) | Pennington |
| Adwell | Dill | Jones | Perloff |
| Agee | Dobbs | Kilgore | Pruitt |
| Bank | Downing | Laxson | Sessions |
| Beck | Drake | Lemley | Shumate |
| Berryman (R) | Edington | Lybrand | Smith (C) |
| Berryman (W) | Ellis | Malone | Smith (P) |
| Blanton | Fine | Marr | Snell |
| Bowers | Gafford | Mathews | Snodgrass |
| Brannan | Gloor | Mays | Starnes |
| Brassell | Grayson | McCorquodale | Steagall |
| Brown | Hain | McDonald | Stembridge |
| Burgess | Harper | McElhaney | Stubbs |
| Burgreen | Harris | McLain | Turnham |
| Cameron | Haygood | Meade | Waggoner |
| Cherner | Headley | Meeks | Watkins |
| Collier | Higginbotham | Merrill | Weeks |
| Collins (W) | Hill | Money | Williams |
| Cook (Coffee) | Hobbie | Owen (Baldwin) | Wright |
| Cook (Jefferson) | Hogan | Owens (W.E.) | Yeilding |
| Crane | Holman | Pearson | Young |
| Crawford | House | | |

—86

Nays:

| | | | |
|----------|--------|-------------|----------|
| Messrs.: | Foshee | Holladay | Slate |
| Bassett | Graham | Jackson (F) | Springer |
| Bolton | Hardin | Melton | Wood |
| Doss | | | |

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Was taken up.

RECESS

On motion of Mr. Gloor the House recessed for fifteen minutes.

Yeas 50; Nays 46.

Yeas:

| | | | |
|------------------|-------------|--------------|-----------|
| Messrs.: | Dill | Laxson | Smith (C) |
| Adwell | Downing | Malone | Smith (P) |
| Agee | Edington | Manley | Snodgrass |
| Beck | Ellis | Marr | Springer |
| Berryman (W) | Gafford | McCorquodale | Starnes |
| Blanton | Graham | McDonald | Turnham |
| Bolton | Grayson | McElhaney | Waggoner |
| Bowers | Hill | Meeks | Watkins |
| Cherner | Hogan | Melton | Weeks |
| Collins (C) | Holman | Money | Wood |
| Collins (W) | Jackson (T) | Owens (W.E.) | Wright |
| Cook (Jefferson) | Jones | Perloff | Yeilding |
| Crane | Kilgore | Sessions | |

—50

Nays:

| | | | |
|--------------|--------------|----------------|------------|
| Mr. Speaker | Dobbs | Holladay | Pearson |
| Bank | Doss | House | Pennington |
| Bassett | Drake | Jackson (F) | Pruitt |
| Berryman (R) | Fine | Lemley | Shumate |
| Brassell | Foshee | Mathews | Slate |
| Brown | Hain | Mays | Snell |
| Burgess | Hardin | McLain | Steagall |
| Burgreen | Harris | Meade | Stembridge |
| Cameron | Haygood | Merrill | Stubbs |
| Collier | Headley | Owen (Baldwin) | Williams |
| Crawford | Higginbotham | Owens (W) | Young |
| Culver | Hobbie | | |

—46

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

FURTHER CONSIDERATION OF SENATE AMENDMENT TO H. 219

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

Was again taken up.

On motion of Mr. Pennington the House concurred in and adopted the Senate amendment to the bill, H. 219, said Senate amendment being as follows:

Substitute for H. B. 219 as amended by Com. Sub.

A BILL TO BE ENTITLED AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 692 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 692 shall read as follows:

Section 692. The following words and phrases, wherever used in this article, shall have the meanings ascribed to them in this section.

"Dealer" means every person currently licensed by this state to engage in the business of buying, selling, or exchanging vehicles required to be registered hereunder who has an established place of business for such purpose in this state and to whom current dealer registration plates have been issued by the Department of Revenue.

"Established Place of Business" means a place actually occupied either continuously or at regular periods at or from which a business or a part thereof is transacted.

"Farm Tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements designed and used for agricultural purposes and only incidentally moved upon public highways.

"House Trailer" means any trailer or semitrailer which was designed to be drawn by another vehicle and (a) to provide living and sleeping facilities, or either, or (b) for use as an office, apartment, storehouse, or warehouse, or (c) for display and promotion of merchandise and services or any similar purpose, but not including (1) camping trailers with tops and sides, or either, which fold or collapse

for in-transit movement and (2) trailers which, although of the type customarily used for purposes referred to in the foregoing clauses (a), (b), and (c), are actually used for the purpose of transporting property for hire or property for distribution by a private carrier.

"Jitney Bus" means a motor vehicle engaged in the business of carrying passengers for hire over, along and upon a definite or substantially fixed route or routes, in the incorporated limits of any municipality or within ten miles thereof, except where such vehicle is operated in conjunction with, or in lieu of, a street railway system or duly franchised bus operation authorized by the governing body of a city and the Alabama Public Service Commission (all such motor vehicles that are excepted in the exception clause of this definition being subject to the license tax specified in Section 695(a) of this title).

"Motor Vehicle" means every vehicle which is self-propelled, every vehicle which is propelled by electric power from overhead trolley wires, and every vehicle that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor bicycles, but not including farm tractors.

"Municipality" means any incorporated city or town in this state.

"Nonresident" means every person who is not a resident of this state.

"Owner" means any of the following: (a) a person or persons holding the legal title to a motor vehicle; (b) the mortgagor or conditional vendee of a vehicle that is the subject of a chattel mortgage or an agreement for the conditional sale thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the mortgagor or conditional vendee, and (c) the lessee of a vehicle owned by the United States of America or any of its agencies or instrumentalities.

"Private Passenger Automobile" means and includes every motor vehicle designed primarily for the transportation of nine persons or less except the following: (1) motorcycles; (2) motor vehicles used in the transportation of persons for hire; (3) trailers or semitrailers; or (4) self-propelled campers or house cars; and includes also every motor vehicle of the type usually referred to as a bus which is owned and operated by an individual for personal or private use and not for hire, rent or compensation. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks," regardless of the use made of any such motor trucks and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute a private passenger automobile.

"Person" means every individual, firm, partnership, association, estate, trust or corporation, and the receiver, assignee, agent, administrator, or other representative of any of them.

"Public Highway" means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term "public highway" shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public.

"Semitrailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

"State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

"Tax Year" means the tax year of this state, being the twelve months period commencing on each October 1.

"Trailer" means every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

"Truck" means every self-propelled motor vehicle designed and used primarily for the transportation of property in or upon its own structure, every self-propelled motor vehicle of the types known as "campers" and "house cars," and every vehicle, of the type commonly called a wrecker, which is used to move disabled motor vehicles for repair, storage and other purposes.

"Truck Tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Utility Trailer" means a trailer primarily designed to be drawn by a passenger car or pick-up truck, including luggage trailers, boat trailers, folding or collapsible camping trailers, and other small trailers of similar size and function.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by muscular power or used exclusively upon rails or tracks.

All references in this article to the judge of probate shall be deemed to include the commissioner of revenue, license commissioner, or other county official designated by law to register motor vehicles, issue license plates, and perform other duties in connection with motor vehicle licenses.

Section 2. Section 693 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 693 shall read as follows:

Section 693. The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each private passenger automobile operated on the public highways of this state and on each motorcycle operated on the said public highways:

- (a) For each private passenger automobile\$13.00
- (b) For each motorcycle 7.00

No private passenger automobile and no motorcycle shall be used on any public highway in the state unless the proper license tag therefor has been procured and is securely attached to the rear end thereof, such tag to be so attached right side up with the number thereof in an upright position and plainly visible.

The purchaser of any motor vehicle requiring a tag shall have four days from the date of its acquisition within which to procure the required tag.

Section 3. Section 695 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 695 shall read as follows:

Section 695. (a) The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each automobile, motor bus or other motor vehicle (other than motor vehicles subject to the license provided for in paragraph (c) of this section and other than jitney busses subject to license under Section 694 of this title) used on public highways in this state for transporting passengers paying fare or charges:

With a seating capacity of five persons or less, \$47.50;

With a seating capacity of more than five persons and not exceeding ten persons, \$60.00;

With a seating capacity of more than ten persons and not exceeding fifteen persons, \$85.00;

With a seating capacity of more than fifteen persons and not exceeding twenty persons, \$110.00;

With a seating capacity of more than twenty persons and not exceeding forty persons, \$160.00;

With a seating capacity exceeding forty persons, \$210.00;

provided, however, that the Commissioner of Revenue of Alabama is hereby authorized and directed to apportion the amount of the license tax payable under this subsection (a) by any common carrier of passengers operating on the public highways of this State a fleet of two or more motor vehicles under the authority of the Interstate Commerce Commission so that the amount of the license tax payable under this subsection (a) for any tax year by such a carrier in respect of all motor vehicles operated on the public highways of this state as a part of the said fleet shall bear the same relation to, and constitute the same proportion of, the total of the amounts specified in the foregoing schedule set forth in this section, and applicable to the said motor vehicles, that the total number of miles operated by the said fleet in Alabama during the then preceding tax year bears to the total number of miles operated by the said fleet in all states during the said preceding tax year; and provided, further, that the Commissioner of Revenue of Alabama is hereby authorized to promulgate such reasonable rules and regulations as may be necessary to effectuate such apportionment.

(b) Each person desiring to take out a license to operate a motor vehicle for the transportation of passengers for hire, except taxicabs and touring cars hired by the hour or for special trips on terms agreed upon between the passenger and the carrier at the time of entering upon such service, shall at the time he applies for such license make out in writing a statement describing the route over which such motor vehicle shall be operated and naming the terminal points thereof, and such route shall be plainly indicated on the motor vehicle in letters of sufficient size to be read at a distance of fifty feet.

(c) For each motor vehicle operated on public highways in this state as a part of a taxicab system, or similar system, the following annual license taxes or registration fees are hereby imposed and shall be charged:

For each vehicle weighing not exceeding 2,500 pounds, \$21.00;

For each vehicle weighing more than 2,500 pounds, but not exceeding 3,000 pounds, \$27.00;

For each vehicle weighing more than 3,000 pounds, but not exceeding 3,500 pounds, \$30.00;

For each vehicle weighing over 3,500 pounds, but not exceeding 4,000 pounds, \$36.00; and

For each vehicle weighing in excess of 4,000 pounds, \$40.00.

(d) For each motor bus operated on public highways in this state which is owned by a church, private school, hospital or other eleemosynary institution and used only for the purposes of such institution, regardless of whether any compensation may be charged to any passenger, a license tax or registration fee of \$13.00 is hereby imposed and shall be charged.

Section 4. Section 696 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 696 shall read as follows:

Section 696. For each ambulance and automobile hearse operated on the public highways in this state, the following annual license taxes and registration fees are hereby imposed and shall be charged: In each municipality of less than 10,000 inhabitants, and in all unincorporated territory, \$15.00; in each municipality of 10,000 to 40,000 inhabitants, \$25.00; in each municipality of 40,001 inhabitants to 100,000 inhabitants, \$35.00; and in each municipality of more than 100,000 inhabitants, \$55.00. Automobile hearses and ambulances shall carry symbol tags.

Section 5. Section 697 of Title 51 Code of Alabama of 1940 shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697 (a) For each truck or truck tractor other than those subject to licenses under subsection (b) of this Section, using the public highways of this State, the following license based on the gross vehicle weight in pounds shall pay the following licenses:

For each truck or truck tractor having the following gross vehicle weight in pounds:

| Weight in Pounds: | Amount of License Tax: |
|-------------------|------------------------|
| 0 to 6000 | \$ 13.00 |
| 6001 to 12000 | 30.00 |
| 12001 to 18000 | 45.00 |
| 18001 to 24000 | 65.00 |
| 24001 to 30000 | 100.00 |
| 30001 to 36000 | 150.00 |
| 36001 to 42000 | 200.00 |
| 42001 over | 250.00 |

Provided, that the rates hereinabove specified shall be limited, in the case of trucks used for transporting farm products or the personal property of the farmer for his use on the farm to a maximum of \$30.00 where the gross vehicle weight of the truck does not exceed 24,000 pounds.

(b) For each truck or truck-tractor with more than two axles when a single unit and each truck or truck-tractor used in combination with a trailer or semitrailer which are used on public highways of this State to transport goods, wares, merchandise, or commodities of any kind or nature for compensation of any kind, or operated under any rental, lease or other agreement where compensation is charged for the use of such vehicle, except trucks used for the transportation of household goods, personal furniture, or other household effects, and motor

vehicles used for the transportation of coal, iron, ore, limestone, bauxite, sand and gravel, and except motor vehicles used in the transportation of commodities exempt under the Alabama Motor Carrier Act of 1939, as amended, either directly or indirectly, shall pay the following licenses:

| For each truck or truck tractor having the following gross vehicle weight in pounds: | Amount of license tax: |
|--|------------------------|
| 0 to 6000 | \$ 13.00 |
| 6001 to 12000 | 35.00 |
| 12001 to 18000 | 60.00 |
| 18001 to 24000 | 75.00 |
| 24001 to 30000 | 200.00 |
| 30001 to 36000 | 300.00 |
| 36001 to 42000 | 400.00 |
| 42000 over | 500.00 |

Provided, that vehicles as described in this subsection which operate exclusively within fifteen miles of the corporate limits of the incorporated municipality in which they are customarily domiciled (but not including vehicles operating beyond the borders of Alabama) are not considered to be for hire.

For the purposes of this subsection, gross vehicle weight shall mean the empty weight of the truck or truck tractor and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provisions of this section. Every person making application for license under this subsection (b) to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be deemed limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license under this subsection (b) with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor. If upon inspection, the gross vehicle weight of any truck or truck tractor licensed hereunder is found to weigh more than is permitted by the license plates which it carries regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such truck or truck tractor shall be required immediately to pay the fee applicable to the gross vehicle weight disclosed by the said inspection, shall be allowed no credit for the surrender under-rated license plates or tags, and shall be subject

to the penalty prescribed by law for using a motor vehicle with an improper license.

(c) Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, then for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year.

Section 6. Section 703 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 703 shall read as follows:

Section 703. For each trailer (other than house trailers) and each semitrailer operated on the public highways of this state, the following annual license taxes and registration fees are hereby imposed and shall be charged:

(a) For each privately owned utility trailer, which is not operated for hire, lease or rental, \$3.00;

(b) For each utility trailer, rented or leased for compensation of any kind or nature, \$8.00;

(c) For each truck trailer or semitrailer, \$20.00; and

(d) For each trailer of any kind other than house trailers and other than those trailers referred to in the foregoing clauses (a), (b), and (c), of this section, \$15.00;

provided, however, that any trailer or semitrailer used by a farmer exclusively for transporting farm products to and from market or for transporting the personal property of a farmer for his use on the farm shall not be subject to the license taxes and registration fees provided for in this section. Trailers of any kind or description for hauling passengers for hire are prohibited by law and shall not be licensed under this article.

Housetrailer, which are excluded from the foregoing provisions of this section, are subject, however, to the registration fee provided for in Act No. 44 adopted at the 1961 Special Session of the Legislature, as amended, and to the other provisions of the said Act No. 44, as amended.

Section 7. Section 712 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 712 shall read as follows:

Section 712. On or before the tenth day of each month, the judge of probate must disburse all money received by him during the then

preceding month in respect of motor vehicle licenses and registration fees as follows:

(a) Two and one-half per cent of the total money so collected shall be retained by the judge of probate as compensation for collecting such money; but no such compensation shall be allowed with respect to any money not remitted pursuant to clauses (b) and (c) of this section at the time when such remittances are provided in this section to be made;

(b) Five per cent of all money so collected must be remitted to the state treasurer; and

(c) The residue of the money so collected shall be remitted as provided in Section 713 of this title;

provided, however, that the judge of probate shall have an additional period of ten days within which to make remittances of amounts collected by him during the months of October, November, and December and remittances with respect to collections during any of those months shall be made on or prior to the twentieth day of the then next succeeding month. At the time that each monthly remittance is made as herein provided, the judge of probate shall forward to the comptroller and to the department of revenue each a certified list of all motor vehicle licenses issued by the judge of probate during the then preceding month, stating therein the amount collected for each license tag, the number of the tag, the motor number of the vehicle or vehicle identification number in lieu of the motor number, the serial number of the vehicle, the name and address of its owner, and the date of the issuance of said tag; provided, however, that in all counties having over 600,000 population according to the last or any subsequent federal census the date of the issuance of the tag shall not be included in the certified list of all motor vehicle licenses issued. If no such licenses shall have been issued during any month by the judge of probate, he shall report that fact to the said comptroller and to the said department on or prior to the tenth day of the then next succeeding month. If any judge of probate fails to comply with the provisions of this section within five days after the date on which he is required to make any report or remittance hereunder, the comptroller shall forthwith report such failure to the Governor, who shall cite such judge of probate to show cause why he has not made report of the list of motor vehicle licenses and paid over the amount collected by him as required by law, and if such judge of probate fails to show sufficient cause for such failure, the Governor shall direct the attorney general to institute impeachment proceedings against him before the supreme court.

Section 8. Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 713 shall read as follows:

Section 713. The moneys collected each month by the judge of probate from motor vehicle license taxes and registration fees, after deducting therefrom the amounts referred to in clauses (a) and (b) of Section 712 of this title (the moneys remaining after making the said deductions being referred to in this section as "the net proceeds") shall be distributed as follows:

(a) Seventy-two percent of the net proceeds shall be distributed to the State of Alabama and shall be remitted by the judge of probate to the State Treasurer;

(b) Twenty-one percent of the net proceeds shall be remitted by the judge of probate (1) to the municipality in which the owner of the motor vehicle resides or with respect to which it is registered as required

by law, or (2) if the said owner does not reside in, or the motor vehicle is not required by law to be registered with respect to, an incorporated municipality, then to the county in which the license tax or registration fee with respect to the said motor vehicle is paid; and

(c) Seven percent of the net proceeds shall be remitted by the judge of probate to the State Treasurer and shall be apportioned by the State Treasurer among the several counties of the state in an amount for each county that bears the same relation to, and constitutes the same proportion of, the total of the said seven percent that the total number of motor vehicles registered in such county bears to the total number of motor vehicles registered in the entire state. The amounts so apportioned to each county shall be distributed by the State Treasurer as follows: (1) Ten per centum (10%) of the amount so apportioned to each county shall be distributed among the municipalities in the county with respect to which the apportionment is made, each such distribution to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (2) the remaining portion of the amount so apportioned to each county shall be distributed to the county to which such apportionment is made.

Payments of the amounts herein provided to be distributed by the State Treasurer to counties and municipalities shall be made quarterly by state warrant and shall be mailed, in the case of such distribution to a county, to the county treasurer (or other officer or entity having the functions of a county treasurer) of that county and, in the case of a distribution to a municipality, to the treasurer of that municipality.

Any municipality incorporated after September 30, 1967, shall not participate in the distribution provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated. The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall, until the effective date of the then next succeeding federal decennial census, be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

The amounts remitted to the State Treasurer pursuant to clause (a) of the said Section 712 and all moneys provided in this section to be distributed to the State of Alabama shall be covered into the treasury to the public road and bridge fund and disbursed as follows: (1) The amounts appropriated by the legislature, out of the motor vehicle license taxes and registration fees, for payment of expenses of the department of revenue in the collection of the said taxes and fees, including salaries, cost of tags, and other costs of collection, shall be paid out of the portion of the said taxes and fees that is remitted to the State Treasurer pursuant to clause (a) of the said Section 712; (2) so much of the net proceeds distributed to the State of Alabama pursuant to the provisions of this section as shall be necessary for such purpose shall be used to pay at their respective maturities the principal of and interest on bonds issued after March 1, 1967, by Alabama Highway Authority, a public corporation created and existing under Act No. 43 adopted at the First Special Session of 1955 of the Legislature; and (3) the balance of the moneys referred to in clauses (1) and (2) of this paragraph remaining after compliance with the said clauses (1) and (2), respectively, shall be used by the state highway department for construction and maintenance of public roads and bridges in the state and for any other pur-

pose for which moneys in the public road and bridge fund may be lawfully used.

All moneys received by a municipality or county under this section shall be used by such municipality or county exclusively for the construction, improvement and maintenance of public highways or public streets, including administrative expenses in connection therewith and retirement of securities evidencing obligations incurred for payment of costs of such construction, improvement and maintenance.

Section 9. The following shall be and hereby are repealed: (a) Sections 698, 699, and 700 of Title 51 of the Code of Alabama of 1940; (b) Act No. 315 adopted at the 1951 Regular Session of the Legislature and relating to licenses and registration fees on automobiles designed and used primarily for private passenger purposes and motorcycles; (c) Act No. 775 adopted at the 1953 Regular Session of the Legislature, relating to licenses and registration fees on motor trucks of the type known as "pick-up" or "pick-up trucks" having three-fourths ton capacity or less and constituting the only mode or method of transportation owned by its owner or available for use in his household; (d) Act No. 672 adopted at the 1961 Regular Session of the Legislature, as amended; and (e) all other laws or portions thereof in conflict with the provisions of this act. This act shall not be deemed to repeal or modify any of the following statutes: Section 101 of Title 35 of the Code of Alabama of 1940; Act No. 359 adopted at the 1951 Regular Session of the Legislature; Act No. 765 adopted at the 1953 Regular Session of the Legislature; Act No. 308 adopted at the 1955 Regular Session of the Legislature, as amended; Act No. 68 adopted at the 1959 Second Special Session of the Legislature; Act No. 576 adopted at the 1963 Regular Session of the Legislature; and Acts Nos. 74 and 116 adopted at the 1965 Second Special Session of the Legislature; and each of the statutes referred to in this sentence shall remain in full force and effect.

Section 10. It is the intention of the Legislature by the enactment of this act to raise revenue and to appropriate funds to pay the principal of and interest on bonds that may be issued by the Alabama Highway Authority, a public corporation existing under the laws of this state, for the purpose of constructing highways and bridges, to raise revenue and appropriate funds for other highway and bridge purposes and to raise revenue and appropriate funds to provide a program for road and street purposes of the counties and municipalities of this state.

Section 11. This act shall become effective October 1, 1967.

Yeas 52; Nays 47.

Yeas:

| | | | |
|--------------|------------------|-------------|----------------|
| Messrs.: | Cook (Coffee) | Holman | Merrill |
| Adwell | Cook (Jefferson) | House | Money |
| Bank | Crane | Jackson (T) | Owen (Baldwin) |
| Beck | Culver | Jones | Owens (W.E.) |
| Berryman (R) | Downing | Kilgore | Pennington |
| Blanton | Drake | Laxson | Sessions |
| Bowers | Edington | Lybrand | Smith (C) |
| Brannan | Gafford | Malone | Stubbs |
| Brassell | Gloor | Mathews | Waggoner |
| Brown | Grayson | Mays | Watkins |
| Burgreen | Hain | McElhaney | Weeks |
| Cameron | Harris | McLain | Yeilding |
| Cherner | Hogan | Meeks | Young |
| Collins (W) | | | |

Nays:

| | | | |
|--------------|--------------|--------------|------------|
| Mr. Speaker | Fine | Jackson (F) | Shumate |
| Agee | Foshee | Lemley | Slate |
| Bassett | Garrett | Manley | Smith (P) |
| Berryman (W) | Graham | Marr | Snell |
| Bolton | Hardin | McCorquodale | Springer |
| Burgess | Harper | McDonald | Starnes |
| Collier | Haygood | Meade | Steagall |
| Collins (C) | Headley | Melton | Stembridge |
| Crawford | Higginbotham | Owens (W) | Turnham |
| Dobbs | Hill | Pearson | Williams |
| Doss | Hobbie | Perloff | Wood |
| Ellis | Holladay | Pruitt | |

—47

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Bailes:

S. J. R. 54. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the printed Journals and Acts of the Organizational Session and this Special Session of the Legislature of 1967 be bound respectively with the printed Journals and Acts of the Regular Session which commences in May of 1967.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 54 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

Also:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 94. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today they adjourn sine die.

On motion of Mr. Merrill the rules were suspended and H. J. R. 94 was adopted.

Also:

By Mr. Merrill:

H. J. R. 95. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a committee of three members of the House and three members of the Senate do wait upon the Governor and inform her of the desire to adjourn sine die and to inquire if she wishes to send any message to both bodies before the sine die adjournment.

On motion of Mr. Merrill the rules were suspended and H. J. R. 95 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Gloor, Cherner and Cook (Jefferson).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference to reconcile the differences of the two Houses on the Senate amendment to the Bill:

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Morrow, Clark and Lindsey.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute.

By Mr. Turner (with substitute):

S. J. R. 53. Extending the existence of the Joint Interim Committee on Finance and Taxation created by S. J. R. 2, of the first Special Session, 1967.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Rules, said committee substitute being as follows:

RULES COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 53

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Joint Interim Committee on Finance and Taxation created by Senate Joint Resolution No. 2, Act No. 6, Organizational Session of 1967, shall continue in existence until the 15th day of June, 1967, pursuant to all the terms and conditions contained in said Senate Joint Resolution No. 2, Act No. 6, except the expiration date of said committee.

BE IT FURTHER RESOLVED that when the two houses adjourn on the legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May, 1967, they stand adjourned and in recess until 12:00 o'clock noon on the 13th day of June, 1967, without pay or expenses to the members except the expense allowance authorized by Senate Joint Resolution No. 4, Act No. 5, of the First Special Session, 1967.

And the substitute for S. J. R. 53 was adopted.

And said S. J. R. 53, as thus amended, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 77. Creating a joint legislative commission to study a general revision of the Constitution of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ellis the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 77, said Senate amendment being as follows:

AMENDMENT TO H. J. R. 77

Amend H. J. R. 77 by striking the last paragraph therefrom.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Pelham and Engel:

S. J. R. 49. WHEREAS, Mr. Bill Sellers, the astute political reporter for the Mobile Press Register, was recently honored by the Alabama Bankers Association as "the outstanding newsman in the State", and

WHEREAS, Bill Sellers has rendered exemplary service to the people of the Mobile area and to the entire State of Alabama through his keen and analytical coverage of the Alabama Legislature and state government during the last several years, and

WHEREAS, the members of the Legislature are pleased at the recognition of his service by the Alabama Bankers Association, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we express the approval and concurrence of this body to the award recently bestowed on Mr. Sellers.

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the publisher of the Mobile Press Register and a copy forwarded to Mr. Sellers.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mrs. Collins (C) the rules were suspended and the House concurred in and adopted the S. J. R. 49 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

Messrs. Givhan, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lt. Gov. Brewer:

S. J. R. 52. WHEREAS former Governor George C. Wallace made a splendid appearance on the television-radio program, "Meet the Press" on Sunday, April 23, of which all Alabamians can be exceedingly proud. His position, which he clearly and forthrightly stated without equivocation, was one which we can and do wholeheartedly support. The content of his statements and the manner in which he handled the barrage of questions was a masterful performance which placed his case squarely before the nation in a light hitherto unseen in many areas of the country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend former Governor Wallace upon his most successful appearance on "Meet the Press," and heartily endorse his position as there stated. We urge him to continue his fight for constitutional government and states' rights and assure him that we will back him one hundred percent to a successful conclusion of his efforts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 52 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Branyon, Bailes, Dominick, Adams, Albea, Carr, Childs, Clark, Cooper, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Governor Brewer:

S. J. R. 50. WHEREAS on April 20, 1967, Lurleen Day was celebrated in Tuscaloosa upon which occasion a day of most enjoyable festivities and gaiety was well planned and executed to honor our beloved and highly esteemed Governor and to whom Lake Lurleen a beautiful fishing lake was appropriately dedicated; and

WHEREAS Governor Wallace is a native of Northport and of Tuscaloosa County, every conceivable effort was made to welcome her home and to entertain the members of the legislature, cabinet members, state officials and other dignitaries who gathered to celebrate the occasion; and

WHEREAS the Tuscaloosa Area Chamber of Commerce, the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport, Probate Judge David Cochrane, Mayor George Van Tassel, Dr. Frank Rose, President of the University of Alabama, who acted as master of ceremonies, the entire student body of the university and its football team which put on a special football scrimmage in honor of the occasion, Senator E. W. Skidmore and Representatives Bank, Brown, Culver and Thomas, and all of the business and professional people of the area joined in making this function a day of happily conceived and well organized activities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank our most gracious hosts and all those who were responsible for the most enjoyable and successful celebration of Lurleen Day.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank the rules were suspended and the House concurred in and adopted the S. J. R. 50 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Engel:

S. J. R. 43. WHEREAS, George Washington Miller of Mobile, Alabama departed this life on April 3, 1967, in Mobile, after a long and useful Christian life; and

WHEREAS, Mr. Miller was born in Oldtown, Conecuh County, Alabama on October 14, 1885, and spent his boyhood years on the family farm in Evergreen, Alabama; and

WHEREAS, Mr. Miller devoted approximately fifty years of his life to law enforcement, serving in varying capacities in Conecuh, Escambia and Mobile Counties; and

WHEREAS, Mr. Miller served with distinction as Deputy United States Marshall for the Southern District of Alabama from 1935 to 1955; and

WHEREAS, his dedicated service and devotion to duty brought him the respect and admiration of the members of the local, State and Federal law enforcement agencies; and

WHEREAS, in addition to his active career he contributed much to his fellowman and community through unselfish service in the Peace Officers Association, and through civic, charitable and community affairs; and

WHEREAS, his knowledge and integrity in the faithful performance of his duties will always be cherished by those privileged to have been associated with him; and

WHEREAS, his countless friends and acquaintances deem his passing as a distinct loss, but shall always cherish the memory of this dedicated citizen and outstanding native son of Alabama; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that the members of this body express their deepest regret upon the death of Mr. Miller and extend their sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to his widow, Mrs. George Washington Miller, his son, Mr. Richard E. Miller and daughters Mrs. Vivian M. Spangler, Mrs. Herbert E. Atkins and Mrs. Juliette Blackledge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hogan the rules were suspended and the House concurred in and adopted the S. J. R. 43 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Folsom, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Gov. Brewer:

S. J. R. 51. WHEREAS Mr. Martin M. Giles, prominent resident of Huntsville, veteran of World War II, and brother of our beloved and highly esteemed colleague, Senator Jack Giles, passed away in Birmingham on April 21, 1967; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mr. Martin M. Giles and extend our heartfelt sympathy to Senator Giles and to the surviving members of the family, to whom copies of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pennington the rules were suspended and the House concurred in and adopted the S. J. R. 51 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDermott:

S. J. R. 47. WHEREAS, on Tuesday, April 4, 1967, an outstanding citizen of Mobile County, Woodie E. Byrd, was called to his eternal reward by his Creator, and

WHEREAS, Woodie Byrd was a highly respected member of his community and a devoted family man, leaving surviving him in addition to his widow, seven children, twenty-eight grandchildren and eight great grandchildren, and his loss is deeply mourned by his relatives and many friends, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA That we do express our sincere sympathy to the members of Mr. Byrd's family and offer to them the condolences of this body.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the family of Mr. Byrd.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hogan the rules were suspended and the House concurred in and adopted the S. J. R. 47 set out in the above and foregoing Message from the Senate.

SUPREME COURT ADVISORY OPINION
LETTER OF TRANSMITTAL
OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

April 26, 1967

J. RENDER THOMAS (1881-1966)
Clerk

RICHARD W. NEAL
Deputy Clerk

LOUISE L. HOLT
Assistant Clerk

Hon. John Pemberton, Clerk
House of Representatives
Capitol

Dear Sir:

We enclose herewith two copies of the response of the Chief Justice and Associate Justices of the Supreme Court of Alabama to request for advisory opinion relative to House Bill 82.

With kindest personal regards, I am

Yours sincerely,

RICHARD W. NEAL,
Deputy Clerk.

RWN:pf
Encl.

SUPREME COURT ADVISORY OPINION

Read and ordered filed.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

Also:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 94. Relative to sine die adjournment of the two Houses.

Also:

H. J. R. 95. Appointing a committee to notify Her Excellency, the Governor, that the Legislature stands ready to adjourn sine die.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Childs, McCarley and Lolley.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 77. Relative to appointing a committee to study a revision of the Constitution of Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 53. Relative to adjournment of the two Houses on the Legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May 1967, until the 13th day of June 1967.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 47. Mourning the death of Woodie Byrd of Mobile County.

Also:

S. J. R. 52. Commending former Governor George Wallace upon his successful appearance on "Meet the Press".

Also:

S. J. R. 53. Continuing the Joint Interim Committee on Finance and Taxation.

Also:

S. J. R. 54. Relative to the printing of the Journals and Acts.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 43. Mourning the death of George Washington Miller of Mobile.

Also:

S. J. R. 49. Approving the honor recently bestowed upon Bill Sellers as "outstanding newsman in the State".

Also:

S. J. R. 51. Mourning the death of Mr. Martin M. Giles of Huntsville.

Also:

S. J. R. 50. Thanking those responsible for "Lurleen Day" in Tuscaloosa.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:45 A. M. On May 1, 1967

H. 207

H. 97

H. 24

Delivered to the Governor at 12:00 Midnight on May 1, 1967

H. 78

H. 225

H. 234

H. J. R. 89

H. J. R. 91

H. 220

H. 221

H. 82

H. 84

H. 219

H. J. R. 77

JOHN W. PEMBERTON,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-first legislative day was approved.

ADJOURNMENT

On motion of Mr. Merrill the House adjourned sine die at 11:45 P. M.

Rankin Fite
Speaker of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1967.

Attest:

John W. Pemberton
Clerk of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1967.

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA
SPECIAL SESSION 1967**

OFFICERS

RANKIN FITE, *Speaker*, Hamilton

HUGH D. MERRILL, *Speaker Pro-Tem*, Anniston

JOHN W. PEMBERTON, *Clerk*, Montgomery

ELIZABETH W. WILSON, *Assistant Clerk*, Montgomery

RICHARD C. BELSER, *Reading Clerk*, Montgomery

MEMBERS OF THE HOUSE

| Dist. No. | Counties | Name | Address |
|--------------|----------------------|---------------------------------|---------------------------------------|
| 1 | LAUDERDALE | | |
| | Place No. 1 | James H. Haygood | 2815 Womble St., Florence, 35630 |
| | Place No. 2 | Robert M. (Bob) Hill, Jr. | P. O. Box 687, Florence, 35630 |
| 2 | LIMESTONE & LAWRENCE | | |
| | Place No. 1 | Edward Burgreen | Rt. 7, Box 21, Athens, 35611 |
| | Place No. 2 | Robert R. Berryman | P. O. Box 742, Moulton, 35650 |
| 3 | MADISON | | |
| | Place No. 1 | Tom Jones | P. O. Box 472, Huntsville, 35804 |
| | Place No. 2 | John David Snodgrass | P. O. Drawer 506, Huntsville, 35804 |
| | Place No. 3 | Harry L. Pennington | 809 Shoney Dr., SW, Huntsville, 35801 |
| | Place No. 4 | Eugene M. McLain | P. O. Box 2005, Huntsville, 35804 |
| | Place No. 5 | Shelby Allen (Billy) Laxson ... | 602 California St., Huntsville, 35801 |
| 4 | JACKSON | | |
| | | Bill Williams | P. O. Box 220, Bridgeport, 35740 |
| 5 | COLBERT & FRANKLIN | | |
| | Place No. 1 | Bryce U. Graham | 1533 Woodmont Dr., Tuscumbia, 35674 |
| | Place No. 2 | W. Anderson Berryman | Rt. 5, Russellville, 35653 |

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

6 MORGAN

Place No. 1

Leslie Doss 2317 Quince Dr., SE, Decatur, 35601

Place No. 2

Ralph E. Slate 1310 Plaza St., Decatur, 35601

7 MARSHALL & CULLMAN

Place No. 1

John W. Starnes P. O. Box 262, Guntersville, 35976

Place No. 2

Sid McDonald Box 546, Arab, 35016

Place No. 3

Tom Drake P. O. Box 46, Cullman, 35055

8 DeKALB & CHEROKEE

Place No. 1

W. M. Beck, Jr. P. O. Box 66, Fort Payne, 35967

Place No. 2

Ralph A. Meade Cedar Bluff, 35959

9 MARION & WINSTON

Rankin Fite P. O. Box 157, Hamilton, 35570

10 BLOUNT

Bill L. Lemley P. O. Box 456, Oneonta, 35121

11 ETOWAH

Place No. 1

Richard Malone 149 Dortch Drive, Gadsden, 35901

Place No. 2

L. Charles Wright P. O. Box 405, Gadsden, 35902

Place No. 3

W. E. (Bill) Owens, Jr. 1243 Sangster Rd., Gadsden, 35901

12 LAMAR & FAYETTE

Dave Fine Box 276, Sulligent, 35586

13 WALKER

Place No. 1

Alonzo Shumate Rt. 6, Jasper, 35501

Place No. 2

Oscar C. Dobbs Rt. 2, Cordova, 35550

14 JEFFERSON

Place No. 1

J. Paul Meeks, Jr. 3043 Weatherton Dr., Birmingham, 35223

Place No. 2

J. T. (JaBo) Waggoner, Jr. .. 2524 Yorkmont Dr., Birmingham, 35226

Place No. 3

Robert L. "Bob" Ellis, Jr. Rt. 1, Box 509, Adamsville, 35005

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- Place No. 4
Hubert Kilgore 2208—3rd Ave., No., Irondale, 35210
- Place No. 5
Richard F. (Dick) Dill 1520 Pinson St., Tarrant, 35217
- Place No. 6
Joe Money 3529 Belle Meade Ln., Birmingham, 35223
- Place No. 7
Bob Adwell 2109 Darlington St., Birmingham, 35226
- Place No. 8
Raymond Weeks 3420-A Altamont Rd., Birmingham, 35205
- Place No. 9
E. T. (Tommy) Watkins 973 Linwood Rd., Birmingham, 35222
- Place No. 10
Robert C. (Bob) Gafford 5345 Division Ave., Birmingham, 35212
- Place No. 11
Tram Sessions P. O. Box 2612, Birmingham, 35202
- Place No. 12
Newman "Red" Yeilding 3340 Hermitage Rd., Birmingham, 35223
- Place No. 13
R. F. "Bob" Holman 2716—10th Ave., So., Birmingham, 35205
- Place No. 14
Verbon E. Crane Box 98, Kimberly, 35091
- Place No. 15
Quinton R. Bowers 1300 Chester St., Birmingham, 35226
- Place No. 16
John W. (Doug) Cook 1620 Stonewall Dr., Birmingham, 35226
- Place No. 17
Frank "Pig" House 10 Midfield Park Place, Birmingham, 35228
- Place No. 18
Bennett L. (Ben) Cherner P. O. Box 669, Bessemer, 35021
- Place No. 19
Tom Gloor Box C, Bessemer, 35020
- Place No. 20
Thomas H. Jackson 1812—3rd Ave., Bessemer, 35020
- 15 ST. CLAIR
Edwin Holladay 818 Cogswell Ave., Pell City, 35125
- 16 CALHOUN
Place No. 1
Ray Burgess Rt. 1, Box 717-L, Anniston, 36201
- Place No. 2
Hugh D. Merrill P. O. Box 1498, Anniston, 36201
- Place No. 3
Fred Ray Lybrand 213 Commercial National Bank Bldg.,
Anniston, 36201

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 17 **PICKENS & GREENE**
Edwin A. Tuck P. O. Box 554, Eutaw, 35462
- 18 **TUSCALOOSA**
Place No. 1
John L. Culver Rt. 3, Box 166, Tuscaloosa, 35401
Place No. 2

Place No. 3
Ralph D. "Doc" Brown 2210—10th Avenue, Tuscaloosa, 35401
Place No. 4
Bert Bank P. O. Box 2149, Tuscaloosa, 35401
- 19 **SHELBY**
Tom Stubbs Rt. 1, Box 14, Helena, 35080
- 20 **TALLADEGA**
Place No. 1
Lyndol Bolton Box 227, Sylacauga, 35150
Place No. 2
Philip H. (Phil) Smith P. O. Box 15, Talladega, 35160
- 21 **CLAY & COOSA**
Charles (Pete) Mathews Box 355, Ashland, 36251
- 22 **CLEBURNE & RANDOLPH**
Gus W. Young Rt. 1, Graham, 36263
- 23 **HALE & BIBB**
Walter Owens 107 Court Square, W., Centreville, 35042
- 24 **CHILTON**
Lewis W. Headley P. O. Box 471, Clanton, 35045
- 25 **TALLAPOOSA**
Owen Harper 502 Lilly Ave., East Tallassee, 36023
- 26 **CHAMBERS**
Charles Snell 109 LaFayette St., Fairfax, 36876
- 27 **SUMTER, MARENGO & PERRY**
Place No. 1
Ira D. Pruitt P. O. Box 27, Livingston, 35470
Place No. 2
Richard S. Manley P. O. Box 338, Demopolis, 36732
- 28 **DALLAS**
Place No. 1
John H. Blanton 114 Lauderdale St., Selma, 36701
Place No. 2
B. V. Hain P. O. Box 1190, Selma, 36701

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 29 **AUTAUGA & LOWNDES**
Leon P. Pearson 1248 S. Main St., Prattville, 36067
- 30 **ELMORE**
Ernest S. Collier 408 Pine St., Wetumpka, 36092
- 31 **MACON, BULLOCK & BARBOUR**
Place No. 1
James L. Paulk Rt. 3, Box 198-A, Union Springs, 36089
Place No. 2
William V. Neville, Jr. N. Randolph Ave., Eufaula, 36027
- 32 **LEE & RUSSELL**
Place No. 1
Bowen Brassell P. O. Box 573, Phenix City, 36867
Place No. 2
Pete Turnham P. O. Box 935, Auburn, 36830
Place No. 3
G. J. Higginbotham P. O. Box 585, Opelika, 36801
- 33 **CHOCTAW, CLARKE & WASHINGTON**
Place No. 1
Grover Lamar Agee P. O. Box 250, Chatom, 36518
Place No. 2
Joe C. McCorquodale, Jr. P. O. Box 535, Jackson, 36545
- 34 **WILCOX, MONROE & CONECUH**
Place No. 1
W. E. (Gene) Garrett P. O. Box 6, Uriah, 36480
Place No. 2
Wm. D. (Billy) Melton P. O. Box 188, Evergreen, 36401
- 35 **MONTGOMERY**
Place No. 1
Harold Harris Rt. 1, Box 145, Montgomery, 36105
Place No. 2
James W. Cameron 138 Adams Ave., Montgomery, 36104
Place No. 3
Walker Hobbie, Jr. Rt. 1, Box 384, Montgomery, 36105
Place No. 4
Howard E. McElhaney 416 So. Perry St., Montgomery, 36104
Place No. 5
Curtis H. Springer, Jr. 719-25 First Nat'l Bk. Bldg.,
Montgomery, 36104
- 36 **BUTLER, CRENSHAW & PIKE**
Place No. 1
L. Gardner Bassett 206 Orange St., Troy, 36081
Place No. 2
W. E. (Gene) Hardin 204 Ft. Dale Road, Greenville, 36037

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

37 MOBILE

Place No. 1

James C. (Jim) Wood 1010 Van Antwerp Bldg., Mobile, 36602

Place No. 2

Thomas M. Marr 158 St. Louis St., Mobile, 36601

Place No. 3

Mayer W. (Mike) Perloff 205 Van Antwerp Bldg., Mobile, 36602

Place No. 4

Clara Stone Collins 1950 Hunter Avenue, Mobile, 36606

Place No. 5

Robert S. Edington 50 Saint Emanuel Street, Mobile, 36602

Place No. 6

Coy Smith Citronelle, 36522

Place No. 7

Elwood L. Hogan 1201 Merchants' Nat'l Bk. Bldg., Mobile, 36601

Place No. 8

Maurice A. "Casey" Downing 920 Dauphin St., Mobile, 36604

Place No. 9

W. M. (Monty) Collins P. O. Box 1411, Mobile, 36601

Place No. 10

John William (Bill) Grayson 56 So. Conception St., Mobile, 36602

38 BALDWIN

Place No. 1

L. D. (Dick) Owen, Jr. Box 45, Bay Minette, 36507

Place No. 2

L. W. Brannan, Jr. Box 187, Foley, 36535

39 ESCAMBIA

J. M. (Mac) Mays Box 500, Atmore, 36502

40 COVINGTON & GENEVA

Place No. 1

Frank Jackson Box 209, Opp, 36467

Place No. 2

Crum Foshee P. O. Box J, Red Level, 36474

41 COFFEE

Drexel Cook Box 435, Elba, 36323

42 DALE

Henry B. Steagall, II P. O. Box 280, Ozark, 36360

43 HOUSTON & HENRY

Place No. 1

Buddy Crawford Abbeville, 36310

Place No. 2

R. J. (Bob) Stembridge P. O. Box 712, Dothan, 36301

ROSTER OF THE SENATE OF ALABAMA

SPECIAL SESSION 1967

| | |
|--|---|
| Albert P. Brewer, <i>Lieutenant Governor</i> | Decatur |
| O. J. "Joe" Goodwyn, <i>President Pro-Tem</i> | Montgomery |
| McDowell Lee, <i>Secretary</i> | Montgomery |
| Mrs. F. B. Ruffer, <i>Assistant Secretary</i> | Montgomery |
| First Senatorial District—Lauderdale and Colbert Counties. | |
| Stewart O'Bannon, Jr. | P. O. Box 123, Florence 35630 |
| Second Senatorial District—Limestone and Morgan Counties. | |
| Bob Harris | P. O. Box 1727, Decatur 35602 |
| Third Senatorial District—Madison County. | |
| Jack Giles | Morgil Bldg., 401 Franklin St., S. E., Huntsville 35801 |
| Fourth Senatorial District—Jackson, DeKalb and Cherokee Counties. | |
| Dan Stone | P. O. Box W, Centre 35960 |
| Fifth Senatorial District—Franklin, Marion, Lawrence and Winston Counties. | |
| W. E. Oden | 402 High St., N. W., Russellville 35653 |
| Sixth Senatorial District—Cullman and Walker Counties. | |
| Fred C. Folsom | 207 Downtown Plaza, Cullman 35055 |
| Seventh Senatorial District—Marshall, Blount and St. Clair Counties. | |
| Aubrey J. Carr | P. O. Box 326, Guntersville 35976 |
| Eighth Senatorial District—Etowah County. | |
| Ollie W. Nabors | Suite 202, First City Nat'l. Bk. Bldg., Gadsden 35901 |
| Ninth Senatorial District—Calhoun County. | |
| Woodrow Albea | 401-404 Commercial Bk. Bldg., Anniston 36201 |
| Tenth Senatorial District—Lamar, Fayette, Pickens, Greene and Hale Counties. | |
| James A. Branyon, II | P. O. Box 600, Fayette 35555 |
| Eleventh Senatorial District—Tuscaloosa County. | |
| E. W. Skidmore | 2011 8th St., Tuscaloosa 35401 |
| Twelfth Senatorial District—Jefferson County. | |
| Place No. 1 | |
| Hugh Morrow, III | City Nat'l Bk. Bldg., Birmingham 35203 |
| Place No. 2 | |
| Leland Childs | 1605 Forest Ridge Rd., Birmingham 35226 |
| Place No. 3 | |
| John Hawkins, Jr. | 2123 3rd Ave., No., Birmingham 35204 |
| Place No. 4 | |
| Richard Dominick | 927 Brown Marx Bldg., Birmingham 35203 |
| Place No. 5 | |
| Geo. Lewis Bailes, Jr. | 621 Massey Bldg., Birmingham 35203 |
| Place No. 6 | |
| Eddie Hubert Gilmore | P. O. Box 546, Bessemer 35020 |

ROSTER OF THE SENATE OF ALABAMA—Continued

Place No. 7

Paschal P. "Pat" Vacca 729-730 Frank Nelson Bldg.,
Birmingham 35203

Thirteenth Senatorial District—Talladega, Clay and Cleburne Counties.

G. Kyser Leonard 516 North St., Talladega 35160

Fourteenth Senatorial District—Bibb, Perry and Dallas Counties.

Walter C. Givhan Safford 36773

Fifteenth Senatorial District—Shelby, Coosa, Chilton and Autauga Counties.

W. G. McCarley 111 Melmar Dr., Prattville 36067

Sixteenth Senatorial District—Tallapoosa, Elmore and Macon Counties.

Tom Radney Box 443, Alexander City 35010

Seventeenth Senatorial District—Randolph, Chambers and Lee Counties.

C. C. "Bo" Torbert, Jr. P. O. Box 272, Opelika 36801

Eighteenth Senatorial District—Sumter, Marengo, Choctaw and Washington Counties.

W. H. (Pat) Lindsey 122 S. Mulberry, Butler 36904

Nineteenth Senatorial District—Wilcox, Clarke, Monroe and Conecuh Counties.

Roland Cooper Camden 36726

Twentieth Senatorial District—Lowndes, Butler, Crenshaw and Covington Counties.

Alton L. Turner P. O. Box 207, Luverne 36049

Twenty-first Senatorial District—Montgomery County.

Place No. 1

J. J. (Junie) Pierce 2448 Carter Hill, Montgomery 36106

Place No. 2

O. J. "Joe" Goodwyn 325 Bell Bldg., Montgomery 36104

Twenty-second Senatorial District—Bullock, Pike, Coffee and Geneva Counties.

W. Ray Lolley 121 N. Main St., Enterprise 36330

Twenty-third Senatorial District—Russell, Barbour and Henry Counties.

James S. (Jimmy) Clark P. O. Box 71, Eufaula 36027

Twenty-fourth Senatorial District—Mobile County.

Place No. 1

Mylan R. Engel P. O. Box 1045, Mobile 36601

Place No. 2

Pierre Pelham P. O. Box 291, Mobile 36601

Place No. 3

William H. McDermott P. O. Box 1374, Mobile 36601

Twenty-fifth Senatorial District—Baldwin and Escambia Counties.

J. Ernest Jackson P. O. Box 614, Flomaton 36441

Twenty-sixth Senatorial District—Houston and Dale Counties.

J. L. (Jim) Adams P. O. Box 490, Dothan 36301

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